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AND NORTHERN IRELAND
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HER MAJESTY QUEEN ELIZABETH II

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PARLIAMENTARY WORKS OFFICER (PSA)—B. C. Sewell

HEAD OF SECURITY—Chief Superintendent A. J. Coxon

COMMUNICATIONS MANAGER—Mrs. J. Garbutt

POSTMASTER—J. Arnold

TRANSPORT MANAGER—R. H. Hyde

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 140**

TWENTY-THIRD VOLUME OF SESSION 1987-88

House of Commons

Monday 7 November 1988

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON REGIONAL TRANSPORT (NO. 2) BILL

HARWICH HARBOUR BILL *[Lords]*

NEWCASTLE UPON TYNE TOWN MOOR BILL *[Lords]*

Orders read for consideration of motions.
To be considered on Thursday at Seven o'clock.

Oral Answers to Questions

ENERGY

British Coal

1. **Mr. Gow:** To ask the Secretary of State for Energy what progress he has made with his plans to denationalise British Coal; and if he will make a statement.

2. **Mr. Rost:** To ask the Secretary of State for Energy when he plans to allow more private sector involvement in United Kingdom coal production.

The Secretary of State for Energy (Mr. Cecil Parkinson): We intend to privatise the coal industry after the next general election. We are currently considering the options; no decisions have yet been made.

Mr. Gow: Is my right hon. Friend aware of the very strong support for his proposals, not only among Conservative Members, but among those who work in the mining industry, and notably among a growing number of members of the National Union of Mineworkers? Will he confirm that the Bill to privatise the British coal industry will be introduced in the first Session of the new Parliament?

Mr. Parkinson: I can tell my hon. Friend that we shall come forward with a Bill as soon as possible in the new Parliament. Whether that will be in the first Session depends on a number of factors, but it will be very early in the new Parliament and the industry will be privatised in the first half of the new Parliament.

Mr. Rost: If privatisation has to wait until after the next election, can we at least have confirmation of assurances that there will be some liberalisation of the rather tight coal monopoly in the immediate future by amending the nationalisation Act to allow the private sector at least to become involved in competition with the nationalised industry as a first step to full privatisation?

Mr. Parkinson: I know that a number of people have been promoting that idea. I should prefer to tackle the problems of the industry as a whole and to come forward with proposals in the next Parliament for the ultimate liberalisation, which is the privatisation of the whole industry.

Mr. Hardy: Will the Secretary of State comment on recent reports that there is keen interest in a management board buy-out of British Coal? Even if he were to confirm that interest, would he maintain the position that he has just stated, which is that there will be no privatisation before the next election and no attempts to prepare the way so that, if the country is unfortunate enough to have a Conservative Administration after the next election, the work will not have been largely done?

Mr. Parkinson: I can give the hon. Gentleman the assurance that he seeks. There will be no attempt at partial or back-door privatisation in this Parliament. The issue will be placed firmly before the British people and we look forward to the Leader of the Opposition, accompanied by Mr. Scargill, touring the country opposing the proposal at the next election.

Mr. Lofthouse: Is the Secretary of State aware that his hon. Friend the Member for Eastbourne (Mr. Gow) is completely out of touch with the views of miners if he thinks that they support privatisation? Is he aware that miners in this country are familiar with the accident rate in the private sector of American mines, which gives a ratio of four to one compared with British mines, and that, in view of the previous safety record of privatised British mines, they fear a return to privatisation which will see a deterioration in the safety record of the mines compared with that of British Coal? Will he give us an assurance that that will not happen?

Mr. Parkinson: I can tell the hon. Gentleman that there will be no lessening of the regulations governing mine safety. I hope that he draws the pleasure that I do from noting that, in recent years, the increase in productivity has been accompanied by a fall in the number of accidents, giving the lie to the argument that one can achieve improved performance only by putting people's lives at risk.

Mr. McLoughlin: Will my right hon. Friend bear in mind that, despite the scare stories often put about by the leader of the National Union of Mineworkers that productivity has a trade off with safety, nationalisation does not mean safer mines, and has nothing to do with safer mines, and there is no need for any fears about the safety of the British coalmining industry, whether in the nationalised or the private sector?

Mr. Parkinson: Let me repeat what I said to the hon. Member for Pontefract and Castleford (Mr. Lofthouse). There will be no lessening of the regulations governing safety, regardless of ownership. The coal industry has been giving the lie to one of the favourite truisms pushed about by the Labour party, which is that we can improve performance only by risking lives. We have been achieving better performance and fewer injuries, and that is the proof that the Labour party is wrong.

Mr. McCartney: Will the Secretary of State confirm that the Opencast Executive will not be privatised as a single unit before denationalisation of the whole industry? Does he intend to wait until that time and then have it denationalised either as a single unit or part of a regional denationalisation?

Mr. Parkinson: I have already told the House that we have no detailed plans. We have looked carefully at a range of options and shall be working out those options still further. The management buy-out mentioned by the hon. Member for Wentworth (Mr. Hardy) is one of the very interesting possibilities. That is not ruled out, but we are looking at the whole range of options.

Central Electricity Generating Board

3. **Mr. Franks:** To ask the Secretary of State for Energy when he next expects to meet the chairman of the Central Electricity Generating Board; and what matters he expects to discuss.

Mr. Parkinson: I regularly meet the chairman of the Central Electricity Generating Board to discuss a variety of issues.

Mr. Franks: Will my right hon. Friend note the case of the Roosecote power station at Barrow-in-Furness, which was decommissioned by the CEGB in November 1986 and for which private sector tenders were invited in February with an April deadline for decision by September? Will my right hon. Friend inquire which September the chairman had in mind and whether it is to be before or after privatisation of the industry? Will my right hon. Friend also inform the chairman that failure to maintain a station, as well as being neglect of a public asset, is a highly effective means of frustrating private sector competition?

Mr. Parkinson: I am pleased to be able to tell my hon. Friend that the tenders have been reviewed, the group which is to take the station has been identified and final negotiations about terms of the contract are now under way.

Ms. Quin: When the right hon. Gentleman next meets the chairman of the CEGB, will he discuss the need to avoid over-reliance on coal imports, especially in view of the worsening balance of payments?

Mr. Parkinson: Yes. I believe that British Coal has a very good opportunity to secure the overwhelming proportion of our coal market. That is why the Government have provided more than £9 billion for the industry since we took office and why more than £6 billion has been invested in modernisation so that our industry can produce competitive coal and hold its own in the market place.

Mr. Hannam: In view of the concern about acid rain and pollution from coal-fired power stations, will my right hon. Friend discuss the matter with the chairman of the CEGB, particularly with regard to measures being carried out for the control of emissions? Can he give us any idea of the level of carbon dioxide emission from coal-fired power stations and how much expenditure on control is planned for the next few years?

Mr. Parkinson: In 1985, the last year for which records are available, 235 million tonnes of carbon dioxide were emitted into the atmosphere from our fossil fuel stations. We believe that a substantial programme is needed to

clean up emissions. That is why the CEGB has already embarked on a very substantial programme, and more will follow.

Mr. Blair: No doubt the Secretary of State will be discussing electricity privatisation with the chairman of the CEGB. Is he aware of reports suggesting that the Government plan a special tax after privatisation to make nuclear energy attractive to private investors? Will he deny unequivocally that any such plans exist? If not, will he explain why the demands of privatisation rank above the interests of the 22 million captive consumers of electricity?

Mr. Parkinson: I begin by congratulating the hon. Gentleman on his election to the shadow Cabinet and expressing the traditional hope that he will spend many happy years on the Opposition Front Bench.

We have a declared policy that 15 to 20 per cent. of our electricity will be supplied from nuclear sources because we believe that diversity of supply is essential to security. There will, therefore, be a nuclear component. The question of nuclear economics is extremely hard to settle. We are talking about building power stations which will still be operating 45 years from now. No one expects fossil fuels to maintain their present prices for more than a few years, so in the next few years what the hon. Gentleman regards as a nuclear burden could well become a nuclear contribution. The Government are determined to ensure that we have a sufficient nuclear component in our electricity supplies.

Dr. Michael Clark: During my right hon. Friend's meeting with the chairman of the CEGB, did he discuss the future closure of Dounreay? Were any plans put forward for job creation schemes in that part of Scotland, bearing in mind that many people will be made redundant? Did he also discuss the continuation of the high-technology research for which Dounreay is famous?

Mr. Parkinson: As my hon. Friend knows, I announced the Government's policy on the fast reactor a few months ago. We have recognised our obligation to Caithness and Sutherland by ensuring that Dounreay will be phased out over a long period. Indeed, there will still be substantial employment at Dounreay for the next eight or nine years and, after that, continuing employment for about one quarter of the labour force.

It is clear that there will be no need for such technology in 30 to 40 years' time. Indeed, there is no way that Dounreay could be kept open for the whole of that time, because the nuclear reactor itself has, at the outside, a life of only about 10 years. We are maintaining our commitment to Dounreay and maintaining a substantial position in fast reactor technology. After Dounreay closes there will be a core research programme to ensure that we maintain our position in that technology.

British Coal

Mr. Janner: To ask the Secretary of State for Energy when he last met the chairman of British Coal; and what matters were discussed.

The Parliamentary Under-Secretary of State for Energy (Mr. Michael Spicer): My right hon. Friend and I meet the chairman of British Coal regularly to discuss all aspects of the coal industry.

Mr. Janner: Has the Minister discussed with British Coal the delay in the announcement of any further opening of pits in the Vale of Belvoir in Leicestershire, other than the Asfordby pit? As the Secretary of State said earlier that British Coal has a good opportunity to secure a major proportion of our coal market, what are the Government's plans for making use of the cheap and excellent coal available in the Vale of Belvoir? How will they ensure that the skilled and devoted miners will not continue to be slowly put out of work?

Mr. Spicer: The hon. and learned Gentleman will have been pleased to note the agreement on six-day working between the UDM and British Coal at the Asfordby pit, which was one of the major sticking points in its development. Work is now proceeding at some rate. As for other pits in the area, Hawkhurst Moor is not far away, and I understand that a planning inquiry for that pit is due in January 1989.

Mr. Ashby: Did my hon. Friend discuss with the chairman the early introduction of a Bill on mining subsidence? If he did not, did he discuss the introduction by British Coal of a method of practice in line with the White Paper on mining subsidence? Is British Coal anticipating a Bill and doing now what it will have to do later?

Mr. Spicer: We have discussed both those questions with the chairman and his officials. There are a number of ways in which British Coal can improve its present practices on subsidence. The Waddilove report has been published and at an early opportunity we shall introduce legislation to comply with its recommendations.

Mr. Redmond: When do the Minister and the Secretary of State intend to get off their backsides and stop behaving like Pontius Pilate? When will they ensure that retired miners who produced coal for this country throughout two world wars have sufficient fuel for themselves? Will he talk to the chairman of British Coal and ensure that those lads and lasses have the fuel that they require to keep warm during the coming winter?

Mr. Spicer: This matter has been discussed. In fact, the hon. Gentleman took part in an Adjournment debate on it. There are restrictions on how far back such concessions can go. They are a matter for British Coal. I shall certainly pass on the hon. Gentleman's remarks, but the situation is as it stands, and as he knows it.

Renewable Energy Supplies

5. **Mr. Chapman:** To ask the Secretary of State for Energy what is his latest estimate of the percentage of United Kingdom energy supplies met by renewable sources; and if he will make a statement about the potential for raising this figure.

Mr. Michael Spicer: Our research and development programme indicates that fuel from waste and energy from wind and tidal sources are the most promising renewable technologies for the future. Each could provide up to 3 per cent. of our total energy requirements by the year 2025.

Mr. Chapman: As my hon. Friend's reply seems to show that the potential for renewable sources to meet part of Britain's energy needs is greater than was thought a few years ago, does he agree that it is essential to continue

Government funding for research? Will he confirm that, under this Government, such funds for research have more than quadrupled?

Mr. Spicer: I confirm that there has been a substantial increase in research into renewable energies, as my hon. Friend has said. I confirm also that it is planned to rise in the near future. My hon. Friend is absolutely right. The Government believe that those varied energy sources are of enormous importance, and the Government are putting a tremendous amount of effort into research into them.

Mrs. Margaret Ewing: In the light of the Secretary of State's claim that he is concerned about workers in the Dounreay area and their future employment prospects, has the Department looked seriously at the possibility of Dounreay being turned into a wind and wave research centre? It would undoubtedly provide employment opportunities for the people who live there. Dounreay is ideally situated because of prevailing weather conditions.

Mr. Spicer: Parts of Scotland are attractive from the point of view of wind power, and the Orkneys are an example. That is why wind power development has taken place in that part of the country. Further plans and developments may be possible, but developments are a matter for power generating companies. We have every reason to believe that more and more private power companies will come forward with projects based upon renewable sources, and they may take place in Scotland.

Nuclear Energy

6. **Mr. Ian Bruce:** To ask the Secretary of State for Energy what his Department is doing to reduce harm to the environment by promoting the increased use of nuclear energy in relation to fossil fuels.

Mr. Parkinson: The Governments's commitment to continued diversity of fuel supply, including a suitable nuclear component, will help reduce potentially harmful emissions from fossil-fuelled power stations.

Mr. Bruce: I thank my right hon. Friend for that answer. Surely we are far behind the rest of the world, particularly France, which has a nuclear component of over 70 per cent., and America and Japan have much higher nuclear components than Britain. Those nations are doing far more than we are to cut down emissions from fossil fuels. Should we not do far more to encourage all future power stations to be nuclear power stations?

Mr. Parkinson: Unlike the French and the Japanese, we have substantial reserves of coal, and it would be a mistake for the nation to turn its back on them. We have coal, oil, gas, and nuclear, too. It is right to maintain our nuclear component at its present level. Many of my hon. Friend's constituents work in the nuclear industry. I am sure that he will not fail to point out to them that no other party in the House supports nuclear power.

Ms. Armstrong: Will the Minister acknowledge that the equation is not quite as simple as that which was put to the House by the hon. Member for Dorset, South (Mr. Bruce)? The Government have not yet begun to come to terms with the problem of the disposal of nuclear waste, but, at the same time, we have the technology and the knowledge to control emissions from coal-fired power stations so that they are not an environmental hazard.

Mr. Parkinson: It is not true that the technology for dealing with nuclear waste has not been identified. The reprocessing of spent fuel is now firmly in hand, and the search for a final disposal site is also nearing completion.

No source of energy does not involve clear-up costs. It is estimated that the cost of clearing platforms from the North sea is about £6 billion, about half as much again as the cost of decommissioning Magnox power stations. Every year we dig out 60 million tonnes of dirt to get 90 million tonnes of coal, and we dump the 60 million tonnes of dirt on the surface of Britain. We have subsidence, and 235 million tonnes of carbon dioxide is emitted from power stations. It is mistaken for the hon. Lady to pretend that all other sources of fuel are clean and easy and that coal is absolutely costless.

Dame Elaine Kellett-Bowman: When promoting nuclear energy, will my right hon. Friend—who knows my part of the world so well—call to the attention of the Central Electricity Generating Board that, in all proposals to store spent nuclear fuel, safety and not the capital programme or the cash flow of the CEGB should be paramount?

Mr. Parkinson: The answer is yes. I know that my hon. Friend is concerned about the proposals for a dry store at Heysham, and I can tell her that safety will be a prime consideration there.

Mr. Matthew Taylor: Is the Secretary of State aware of the Rocky Mountain Institute report, which says that even a sixfold increase in nuclear power would not have a significant impact on the greenhouse effect? In view of his comment that all forms of energy generation have a cost associated with the environment, why has the right hon. Gentleman continued to cut the budget of the energy efficiency office?

Mr. Parkinson: I am aware of the report, although I have only read about it and have not seen it. I believe that it addresses the wrong question. It asks whether nuclear power or energy efficiency can contribute most to the removal of the greenhouse effect. I believe that the greenhouse effect will be alleviated by a combination of factors—nuclear power, more emphasis on the control of emissions from coal-fired power stations and energy efficiency. The Government are promoting the lot.

Mr. John Garrett: Will the Secretary of State elaborate on his reported speech to the Mid-Norfolk Conservative Association a couple of weeks ago—the newspaper report is headed "Cecil's Energy Jigsaw"—in which he is quoted as saying that electricity production will be less nuclear dominated after privatisation because of his opposition to gigantic nuclear stations?

As for environmental damage, will the right hon. Gentleman confirm that his Department has commissioned absolutely no research into the effects of energy production and policy on air pollution? If that is so, he is hardly entitled to give such glib answers.

Mr. Parkinson: I do not hold myself answerable to the Mid-Norfolk News, or whatever it is. I formed the

impression from talking to the young man who was there that it was almost the first time that he had ever heard of nuclear power, and he found great difficulty in spelling it.

As for the environment, my Department seeks to promote a range of diverse sources of energy. We have access to a substantial number of studies. We know, and the hon. Gentleman does not deny, the huge costs involved in clearing up in the coal and electricity industries, in clearing the platforms in the North sea, and in further dealing with the problems of subsidence.

Tranco

7. **Mr. French:** To ask the Secretary of State for Energy what progress has been made on the appointment of board members and the formation of the management team for Tranco.

Mr. Parkinson: I announced the chairman and chief executive designate appointments to the new national grid company which will control the national grid after privatisation on 9 June. Further designate appointments to the board were announced on 8 October. A copy of the press notice announcing these, and designate appointments to the boards of "Big and Little G", is being placed in the Library of the House. Good progress is being made in allocating senior management and staff between the successor companies.

Mr. French: Will my right hon. Friend explain what role he envisages for the board of Tranco and the two generating companies in the period prior to full privatisation?

Mr. Parkinson: The designate boards will be making arrangements to take over the running of the companies after vesting day on 1 January 1990. There are a great many interim preparations to be made and they are being made now; for example, the sub-division of the assets and arrangements to continue research programmes. Work is going on to ensure that there is an easy transition on vesting day.

Coal Imports

8. **Mr. Cran:** To ask the Secretary of State for Energy if he will take steps to ensure that no import quotas are imposed on foreign coal following the privatisation of the domestic coal industry.

Mr. Michael Spicer: The Government place no restrictions on imports of coal and have no intention of introducing any. As British Coal continues to improve its efficiency we believe that it will remain the supplier of choice for most purchases.

Mr. Cran: Is my hon. Friend aware that more than 300 jobs in my constituency will be lost by an intensive energy user called Capper Pass? It attributes many reasons to that, including the fact that electricity prices are too high. Does my hon. Friend agree that that should not recur with the privatisation of coal and electricity because of the downward effect on prices which those events will have?

Mr. Spicer: I certainly agree that under a privatised electricity industry the pressure on costs through competition will make prices lower than under a nationalised industry. It has always been the Government's position that a privatised electricity industry could buy its coal in the best market. As I have said, we are confident that with the continued efficiency improvements in British Coal,, it will be the supplier of first choice.

Mr. Barron: If coal imports increase and threaten indigenous production, will the Government take action to ensure that our national interests are always looked after?

Mr. Spicer: What are the national interests? The hon. Gentleman will surely know that a reason why there has been a marginal increase in coal imports—to nearly 10 per cent.—is that under this Government we have had a successful steel industry which has been importing large amounts of coking coal, which this country cannot supply. Therefore, let us consider exactly what is the national interest.

Mr. Oppenheim: Is it not about time that British Coal lost its virtual monopoly of coal reserves? Surely it is not healthy for a big centralised organisation to have a monopoly, as British Coal does, especially when it comes to the opencast sector, where British Coal insists on operating only large, environmentally damaging, opencast sites rather than smaller, more environmentally sensitive ones?

Mr. Spicer: As my right hon. Friend said, the whole question of licensing rights and the ownership of reserves is a central matter to be addressed when we come to privatise the industry.

Energy Conservation

9. **Mr. Vaz:** To ask the Secretary of State for Energy what conclusions he has drawn from the energy conservation schemes in Leicester; and if he will make a statement.

The Minister of State, Department of Energy (Mr. Peter Morrison): I understand that the Leicester local energy action campaign has achieved a number of successes. My right hon. Friend looks forward to receiving the final report on the campaign, which I understand is due to be issued by the end of the year.

Mr. Vaz: Will the Minister join me in congratulating Leicester city council and the energy consortium there on the success of the scheme? Will he assure the House that his plans for privatisation will not in any way affect the success of the scheme? In particular, will he confirm that area boards will be entitled to have the freedom to conclude contracts with the consortia, irrespective of the privatisation plans?

Mr. Morrison: I am delighted to agree with the hon. Gentleman about the local initiative in Leicester and to say that such initiatives have also been taken in other cities. On the second part of his question, I can confirm that that will be the case.

Departmental Offices

10. **Mr. Tim Smith:** To ask the Secretary of State for Energy what will be the total annual cost of his Department's new offices.

Mr. Peter Morrison: The total annual cost to be charged to my Department by the Property Services Agency under the property repayment service is currently

estimated at £9·45 million, although the rent paid by the PSA, and hence the actual annual cost to the taxpayer, will be substantially less.

Mr. Smith: Has the Department of Energy not been so successful with its policies, first by privatising gas, now by privatising electricity and soon by privatising coal, that it has effectively done itself out of a job? In those circumstances, would it not be better advised, rather than hiring expensive new offices, to set a time when no offices will be needed?

Mr. Morrison: I am delighted to accept my hon. Friend's congratulations on the Department's success. We still have to get through the Bill to privatise electricity and, as my right hon. Friend the Secretary of State explained, coal is for the next Parliament, too. We shall need the odd office from which to organise that. In case my hon. Friend has not seen the figures, may I tell him that in 1986 we had 300,000 sq feet. Today we have 245,000 sq feet, and when we move to our new premises next year the figure will be reduced to 184,000 sq feet. It will have been nearly halved in four years.

Mr. Win Griffiths: What measures will be taken in the new offices to conserve energy? Does the Minister agree that if the Government spent more money on conserving energy instead of on promoting power stations such as Hinkley C we would need no more new power stations for a decade?

Mr. Morrison: I assure the hon. Gentleman that we have taken measures to improve the conservation and use of lighting and heating. Initiatives in that direction have been taken across Whitehall.

Coal Production

11. **Mr. Lawrence:** To ask the Secretary of State for Energy how many kilojoules per man hour were produced by British Coal in *(a)* 1979 and *(b)* the last 12 months for which figures are available; and if he will express the latter as a percentage of the former.

Mr. Michael Spicer: Productivity rose from 2·24 tonnes per manshift in 1978-79 to 3·62 tonnes in 1987-88, an increase of 62 per cent. Productivity figures based on heat content are not available.

Mr. Lawrence: The House will wish to congratulate the miners and British Coal on achieving those remarkable productivity figures under a Conservative Government. Can my hon. Friend give comparable figures for productivity when the Labour party had control of the coal industry?

Mr. Spicer: I could give the House those figures, but it would be rather boring if I did. During the Labour Government productivity in the coal industry fell every year that they were in office.

Mr. Flynn: What does the Minister believe will be the effect on coal consumption of today's news of the collapse of the first serious bid to generate electricity privately under the Energy Act 1983? Will he investigate why his Department encouraged the doomed plan to reopen Rogerstone power station by backing Mr. Angelo Casfikis when there was abundant evidence then, as now, that he is a man of straw? Will the Department promise not to support dotty schemes to reopen clapped-out power stations in the face of the united opposition of local people and councils?

Mr. Spicer: The Government's policy is to encourage as much competition in the generation of electricity as possible, and the thrust of the proposals that we shall place before Parliament during the next few months will be precisely to that effect. The Government have no control over who makes applications; nor do we wish to have any. But we do wish to encourage all-comers to apply on their merits for rights to produce electricity.

Electricity Industry

12. **Mr. Brandon-Bravo:** To ask the Secretary of State for Energy how many proposed private schemes he is aware of in connection with the proposed privatisation of the electricity supply industry; and what percentage of the present electricity output these represent.

Mr. Parkinson: I am aware of some 15 private generation proposals. If all came to fruition, they would amount to 8 per cent. of the total electricity needs of England and Wales.

Mr. Brandon-Bravo: As the White Paper was published barely six months ago, is my right hon. Friend encouraged by such interest at this early stage? Does that not represent a serious input of competition? More important, will he give the House every assurance that the new private generation schemes will have easy access to the national grid?

Mr. Parkinson: Yes. Private generators will have access as of right to the grid, although they will have to pay a fee to use the service. I hear some sniggering remarks from the Opposition, but may I tell them that those 15 proposals come from some of the finest companies in Britain and in the world.

Mr. Alan W. Williams: How many of those proposals involve the use of gas to generate electricity? I notice that the Fawley B application has been withdrawn, and there is increasing talk of gas being used to generate electricity in many small schemes after privatisation. Does the Minister agree that that would be an absurd use of gas? Using gas to generate electricity is less than 50 per cent. efficient, whereas using it for heating in homes and industry is almost 100 per cent. efficient. Does the Minister agree that it is absurd in relation to the greenhouse effect?

Mr. Parkinson: Three or four of those applications involve the use of gas. Gas-fired stations can be produced quickly—within two years—they are extremely flexible and many people believe that the shortage of those facilities has been a disadvantage to the electricity supply industry in the past. That will be remedied.

13. **Mr. Thurnham:** To ask the Secretary of State for Energy what recent representations he has received about his plans for privatisation of the electricity supply industry.

Mr. Michael Spicer: I continue to receive representations on electricity privatisation. It is clear from my discussions with many interest groups that there is a large body of support for our proposals.

Mr. Thurnham: Does my hon. Friend agree that after privatisation decision-making should be better than it has sometimes been? Was it not the last Labour Government who ordered the Drax power station without gas scrubbers because they could not face telling Arthur Scargill the true cost of burning coal?

Mr. Spicer: My hon. Friend makes an excellent point. There is no question but that this Government have led the field in insisting that the electricity supply industry starts to clean up emissions. There are now plans for £1·5 billion worth of pollution control plant that would not have been conceived of by the Labour Government.

THE ARTS

Leicester

48. **Mr. Janner:** To ask the Minister for the Arts when he next proposes to visit the city of Leicester to discuss the effects of Government arts policy there.

The Minister for the Arts (Mr. Richard Luce): I have no immediate plans to visit Leicester, which I last visited on 8 September this year.

Mr. Janner: Is the Minister aware that Leicester city council applied for additional funding for five workers for its arts action project in accordance with the Minister's own pronouncements that arts are important for inner city regeneration? Is he aware that the Secretary of State for the Environment saw fit to turn down that application and would not allow one additional person? He said that he did not consider the funding of arts promotion activities to be a priority for regeneration resources. Is the Secretary of State trying to sabotage the Arts Minister's efforts to help?

Mr. Luce: The hon. Gentleman should pursue that point with my right hon. Friend the Secretary of State for the Environment. In the past few weeks there has been a great deal of interest in the role that arts and heritage can play in the regeneration of inner cities. It is because of that that three useful seminars have been held, in Glasgow, Kent and Halifax. All those were based on practical evidence on the ground that arts and heritage play a leading part in the regeneration process, but it must be up to the local authorities and the Government to decide whether certain projects fall within the required criteria.

Endowment Funding

49. **Mr. Butler:** To ask the Minister for the Arts if he will make it his policy to move towards selective endowment funding of arts and heritage bodies.

Mr. Luce: I am very much in favour of arts bodies building up endowment funds. Apart from the special case of the National Heritage Memorial Fund, however, such funds should be drawn from private sector resources.

Mr. Butler: Will my hon. Friend reconsider this and, perhaps, experiment with launching out on endowment some of the smaller museums currently funded by his Office?

Mr. Luce: I am grateful to my hon. Friend for his point. There is no doubt that the establishment of endowment funds in the arts helps to strengthen the security and independence of arts bodies. I am very much in favour of the expansion of those endowment funds. They have tended to happen with the larger bodies. The most recent example is the National Theatre, which has established a £1·5 million endowment fund, under the leadership of the outstanding retiring chairman, Lord Rayne. With the range of tax concessions already available, people should be encouraged to establish endowment funds.

Libraries (Green Paper)

50. **Ms. Walley:** To ask the Minister for the Arts how many representations from *(a)* library authorities and *(b)* members of the general public he received on the Green Paper on "Libraries".

Mr. Luce: I have received representations from 103 library authorities and about 7,000 from organisations and individuals.

Ms. Walley: I thank the Minister for his reply. Will he tell us how many in each of those two categories are in favour of, or are against, the proposals in the Green Paper? Judging from the response in my constituency, many members of the public, professional organisations and county councils are against proposals to put those services out to private contractors. In the light of that, is the Minister carrying out proper consultation?

Mr. Luce: I do not think that there could have been a more extensive consultation than the one we have had on the Green Paper on Libraries. For that reason I welcome the large number of representations that have been made to me, which we are presently studying. In due course I shall make a statement on them. Varied views have been expressed and I found that, as time went on, there was a greater understanding of what I was trying to achieve—to help the library services to improve themselves still further and to get better value for money. Sub-contracting is worthwhile only if one gets better value for money or an improved service. I believe that that makes absolute sense.

Mr. Robert B. Jones: Is my right hon. Friend aware of how many of the people who sent in representations on the Green Paper had read that paper rather than having a simple interpretation of it given to them by a union or other vested party? Those of my constituents to whom I sent a copy of the Green Paper and who wrote to the Department had different views about it after they had studied the proposals in context.

Mr. Luce: My hon. Friend makes a fair point. It often happens that when a Government publish a Green Paper it is misinterpreted, sometimes deliberately. I believe that that partly happened in this case, and I believe also that a large number of people—not everyone—have misinterpreted it. Those people have done themselves, as well as the library service, a disservice.

Mr. Fisher: Will the Minister answer the point raised by my hon. Friend the Member for Stoke-on-Trent, North (Ms. Walley) and say how many people who submitted answers to the Green Paper rejected the Government's proposals in that document? Is it not the case that the vast majority of people who replied to that Green Paper said no to the premium book scheme, no to privatising branch libraries, no to privatising the loan of education videos and no to privatising the library services to old people's homes?

Does the Minister not understand that such proposals undermine the public service aspect of public libraries and must be rejected?

Mr. Luce: The majority of those who replied were more sensible than that. They did not give a yes or no to the Green Paper, but they saw that it contained a range of sensible suggestions. Those people put forward their constructive ideas about the proposals, some of which they were in favour of and some of which they had doubts about. That is what a Green Paper discussion should be all about.

Joint Stock Theatre Company

51. **Mr. Sedgemore:** To ask the Minister for the Arts when he last saw a performance of the Joint Stock Theatre Company.

Mr. Luce: I have not been able to see a performance by the Joint Stock Theatre Company.

Mr. Sedgemore: Oh. Will the Minister confirm that anyone who has not seen a performance by this company is an appalling philistine? Will he also confirm that the switch in Arts Council funding for this company from revenue to project status is based on nothing more than ideological spite and dislike for the radical, cutting edge of the superb performances of this wonderful company, about which nothing bad could ever be said?

Mr. Luce: It is nice to see the hon. Gentleman showing such enthusiasm for Joint Stock Theatre Company, and I welcome that. At the end of the day it is for the Arts Council to make a judgment on the grounds of artistic merit as to whether an arts organisation should be supported. As I understand it, the Joint Stock Theatre Company is eligible for project funding, and it is open to it to make an application to the Arts Council.

Mr. Robert G. Hughes: Does my right hon. Friend agree that the Government have a good record, which compares favourably with that of previous Governments, on supporting touring companies? That support is right because those companies bring the arts closer to people.

Mr. Luce: I am grateful to my hon. Friend. It is worth noting that I have earmarked additional sums to the tune of £1·5 million this year for the additional touring activities of major arts bodies. As a result, we have had the evidence of increased touring by theatres, orchestras and opera companies. That is to the benefit of all our people.

Museums and Galleries

53. **Mr. Harry Greenway:** To ask the Minister for the Arts what information he has as to the current level of attendance at museums and galleries.

Mr. Luce: The number of visitors to museums and galleries has increased strongly in recent years, rising from 68 million visitors in 1985 to 73 million in 1986. The Museums Association estimates that visitor numbers could top 100 million during Museums Year 1989, when the association will celebrate its centenary.

Mr. Greenway: Will my right hon. Friend convey my congratulations and the congratulations of all hon. Members to those concerned with those figures? The much improved attendances at museums and galleries are further evidenced by the enormous growth in private, municipal and independent museums and galleries. Is that not a tribute to the improvement in and provision of education that we have had under this Government?

Mr. Luce: I entirely agree with what my hon. Friend has said—the proof of the pudding is in the eating, and the number of people attending those museums all over the country represents a remarkable expansion. We are still seeing the opening of a new museum on average once every fortnight, which is testimony to the public interest in and increasing demand for museums and galleries.

Mr. Buchan: Does not that interest make all the more serious what happens when charges are imposed in our museums? The Minister is ignoring the point that, on average, there has been a drop in attendance of around 40 per cent. in the first year, which sometimes continues, in all the institutions that he has allowed or encouraged to charge. Is that not more reactionary than the position before Victorian philanthropy?

Mr. Luce: It is entirely up to the trustees of bodies to decide whether to make charges and, if so, in what way. When they make charges, one of the most noticeable things is that they have a range of concessions for certain people, whether schools, residents and so on, to enable them to have access to the museum at concessionary prices. It is also interesting that a number of them are ensuring that their museum remains open without charge at certain hours, although there are charges for the rest of the day. That is another concession. Above all else, the biggest test is whether charging leads to improvements of the museum's services which, in turn, benefit the public, and there is plenty of evidence of that.

CIVIL SERVICE

Party Conferences (Duties)

68. **Mr. Tony Banks:** To ask the Minister for the Civil Service what guidance is given to civil servants with regard to their duties and responsibilities relating to attendance on official business at party conferences.

The Minister of State, Privy Council Office (Mr. Richard Luce): It is an established principle that civil servants should not engage in activities likely to call into question their political impartiality.

Mr. Banks: May I tell the Minister that that is a thoroughly unsatisfactory and complacent reply, given the way in which the Government have blurred the distinction between Civil Service and party political activity, the most blatant example being the party political use of press officers? Will the Minister assure the House either that he will give instructions to Ministers not to use civil servants in the party political way that they do, particularly in respect of attendance at the Conservative party conference, or that he will come to the House and make proposals for a politicised Civil Service, honestly done, on a spoils system, because that is what we are going towards?

Mr. Luce: I do not know what the hon. Gentleman is getting at when he refers to attendance at the Conservative party conference. If he has an allegation to make against a particular Department or Secretary of State, he should make it directly and substantiate such charges. There are

clearly laid down rules and a copy of the establishments officer's guide is available in the Library and can be referred to. It is up to my right hon. Friends to stick to those rules.

Sir Geoffrey Finsberg: Will my right hon. Friend confirm that the instructions and guidelines to civil servants include the fact that they should not steal documents and send them to the Labour party?

Mr. Luce: My hon. Friend makes a point. It is remarkable for the hon. Member for Newham, North-West (Mr. Banks) to suggest that rules are being transgressed, for example, at the Conservative party conference, without substantiating his allegations.

Agencies

69. **Mr. Wilshire:** To ask the Minister for the Civil Service what progress has been made in the last four months in the establishment of Government agencies under the Civil Service reforms.

70. **Mr. Tim Smith:** To ask the Minister for the Civil Service how many executive agencies have beeen established.

Mr. Luce: Two executive agencies, the Vehicle Inspectorate and Companies House, have been established so far. A further 30 candidates are under consideration.

Mr. Wilshire: I thank my right hon. Friend for his reply. Does he now have more activities to add to the list that he announced on 25 July? What specific arrangements are being made for each agency to ensure that there is strong public accountability and a business management ethos?

Mr. Luce: I am grateful for my hon. Friend's interest. I have undertaken to give a progress report to the House every six months or so on the establishment of agencies. As I said, we now have the two first agencies—the Vehicle Inspectorate and Companies House. I expect the Department of Health and Social Security resettlement units and the employment service to be early candidates for the creation of agencies. Since I last spoke in the House, there are three new candidates—the Land Registry, the Building Research Establishment and the Crown Suppliers' fuel business.

The Select Committee on the Treasury and Civil Service has made its views known to us about accountability. The established traditions of accountability and ministerial responsibility to the House remain, and the methods for achieving that are being looked at as a result of the views of the Committee. The Government will reply to them shortly.

Mr. Smith: On that last point, may I reinforce what the Select Committee on the Treasury and Civil Service said about accountability. Does my right hon. Friend agree that if we give the chief executive of an agency the responsibility of running it, he, not a permanent secretary at the Department, should be the accounting officer? I hope that my right hon. Friend will be able to respond positively to the recommendations made by the Treasury and Civil Service Select Committee.

Mr. Luce: I take careful note of my hon. Friend's comments. As he says, that was one of the points made by the Select Committee and I assure him that we shall take that aspect on board.

Mr. Campbell-Savours: I believe that the Minister's answers today are of some historic importance, and only time will tell why. Will he give an absolute assurance that the creation of the agencies will in no way undermine the accountability of Departments or Ministers to Members of Parliament and to Parliament?

Mr. Luce: I give an absolute assurance to the hon. Gentleman that it will not, in any way. I believe that it will actually strengthen the system of accountability. At the end of the day Ministers are directly accountable to the House.

Mr. Cryer: Is not experience with the establishment of private agencies that Ministers who seek to evade responsibility will always be able to refer questions to that particular agency? That happens now with organisations in the public sector, such as the Central Electricity Generating Board. All the assurances are so much hollow nonsense, because hiving off means that the Table Office will not accept parliamentary questions, the Minister can evade them and there is a severe diminution in public accountability to the House.

Mr. Luce: I disagree. The principle of delegated authority to civil servants to carry on their responsibilities and have some budget control will lead to better management and to decision-making within the Civil Service of an even higher standard than at present. The principle is right. At the same time, the principle of ministerial accountability to the House remains absolutely firm. At the end of the day the Minister in charge, the political head of the Department, will be accountable to the House of Commons.

Secondments

71. **Mr. Butler:** To ask the Minister for the Civil Service what targets he has set for secondments into and out of the Civil Service.

Mr. Luce: I no longer set central targets for secondments. That is now a matter for individual Departments, which will be implementing new programmes for interchange with business over the next few years. I hope that their effect will be to enhance significantly the overall number of secondments between the Civil Service and other organisations.

Mr. Butler: Does my right hon. Friend agree that civil servants would benefit from some experience of the problems of small businesses? Will he encourage secondments to small businesses for civil servants?

Mr. Luce: I am grateful to my hon. Friend for his interest in this matter. Without any shadow of a doubt, I can say yes, we shall try to encourage greater secondment to small businesses. I am also trying to encourage secondment from regional and local offices, aimed particularly at smaller businesses. In that way we can help. The recent White Paper, "Releasing Enterprise" gives particular emphasis to that.

Unions (Meetings)

72. **Mr. Winnick:** To ask the Minister for the Civil Service when he last met the leaders of Civil Service unions; and what subjects were discussed.

Mr. Luce: I have meetings from time to time with representatives of Civil Service trade unions both centrally and during visits to Civil Service establishments. A wide variety of matters are raised.

Mr. Winnick: Are we to understand that the Prime Minister's statement in Poland about basic human rights means that trade unionists at GCHQ will no longer be victimised because they want to exercise their basic human rights in this country? As the word "hypocrisy" is not allowed here, how else can the Minister explain the difference between what the Prime Minister says in Poland and what the Government do in this country?

Mr. Luce: I am astonished that the hon. Gentleman can seek to draw a parallel between what is happening in Poland today and what is happening in this country. My right hon. Friend the Prime Minister paid a highly successful visit to Poland and the hon. Gentleman should be proud of the fact that my right hon. Friend carries such authority abroad. As for the hon. Gentleman's comparison, does he not understand the difference between Poland and true democracy, with freedom under the law and a freely elected Parliament? If he does not understand that, he does not understand anything.

Mr. Hind: In his discussions with Civil Service trade unions about executive agencies, will my right hon. Friend consider locating many of these new executive agencies in the provinces in areas of high unemployment? Will he also pursuade the trade unions to agree to that course of action?

Mr. Luce: My right hon. Friend the Paymaster General has answered questions on this subject in the House. The Government are actively setting the right environment in which it is possible for Departments to take decisions about whether to be inside London or in another part of the country. Four out of five civil servants are now outside London, but they need to consider carefully, sensibly and ruthlessly, whether there are advantages in moving to another part of the country.

Dr. Marek: Does the Minister accept that on more than one occasion trade unions in GCHQ offered a no-strike deal to the Government? Will he confirm that the Government did not respond to those offers and decided to ban the right of free association? What explanation can there be for today's action by many thousands of trade unionists other than a firm rebuttal of the Prime Minister's pathological hatred of British trade unionists and her belief that trade unionists throughout the country are the enemy within?

Mr. Luce: It surprises me that the hon. Gentleman has not yet accepted that national security has to come first and that GCHQ needs to operate continuously if it is to be effective. Between 1979 and 1981, 10,000 working days were lost. As a result of that, the effectiveness of GCHQ was jeopardised. That is the heart of the matter.

Pensioners (Benefits)

3.31 pm

Mr. Neil Kinnock (Islwyn) *(by private notice)*: To ask the Chancellor of the Exchequer if he will make a statement on his intention to introduce further means-tested benefits for pensioners.

The Chancellor of the Exchequer (Mr. Nigel Lawson): Mr. Speaker, I have no such intentions except in one respect. I have been discussing with my right hon. Friend the Secretary of State for Social Security a scheme to give special help to poorer pensioners. This would be over and above the existing level of benefits. We shall announce the outcome of this consideration in due course.

Mr. Kinnock: Will the Chancellor accept that his briefing on Friday and his statement that

"only a small minority of pensioners have difficulty in making ends meet"

produced widespread concern among pensioners and the general public? Does not the Chancellor recognise that the people in "difficulty", far from being "a small minority" as he claims, are, on the Government's own figures, the 3 million people who are on or below income support level, and the 3 million more who are just above that low level? Will he not accept, once and for all, that pensions are not an act of charity to an older generation; they are a right that retired people have earned in a lifetime of contributions.

Since the Chancellor is such an advocate of targeting, will he now acknowledge that such a policy inevitably brings a more means-tested system and creates a wider poverty trap? Can he also tell us why it is that, when he targets handouts to the better-off, his aim is unerringly accurate, but when he targets benefits to the poor he always misses many of those in genuine need? [HON. MEMBERS: "No!"] It is the Chancellor's fault for talking to the press. *[Interruption.]*

Mr. Speaker: Order.

Mr. Kinnock: Had the public not been misled on so many occasions over SERPS, child benefit and housing benefit, it might be more possible to believe what the Chancellor has been saying in denying his own words. Will he now specifically confirm that the Government will not, now or at any other time, means-test—*[Interruption.]* This is vital to 9 million people in this country. Will the Chancellor confirm that the Government will not, now or at any other time, means-test or reduce the national insurance pension? Will he pledge that the Government will not withdraw, reduce, or means-test the right of all old-age pensioners to free prescriptions?

Will he give an undertaking now that the Government will not introduce any new charges? As the mobility and attendance allowances are not covered, although they are vital to 3 million people—*[Interruption.]*

Mr. Speaker: Order. This is a matter of great interest.

Mr. Kinnock: As the mobility and attendance allowances are not covered by the Government pledge to annual uprating, will the Chancellor now give assurances that he will maintain the value of those and will not subject the right to receive them to any form of means test? If the Chancellor wants us and the country to believe that all the reports over the weekend are nothing more than what he called

"the fevered imagination of the press",

why does he not prove his commitment to pensioners by scrapping the policy of charging 6·5 million pensioners for eye tests, and scrap them now?

Mr. Lawson: Mr. Speaker, that was an extraordinarily long series of supplementary questions—*[Interruption]*—designed simply to conceal the fact that the right hon. Gentleman has once again demonstrated his infallible knack for getting the wrong end of every stick. The Government—*[Interruption.]*

Mr. Speaker: Order. The Leader of the Opposition has asked some questions and it is right and fair that the Chancellor should have an opportunity to answer them.

Mr. Lawson: The Government's position on social security benefits remains today exactly as it has always been. It remains today precisely what it is, including the pledge to maintain the retirement pension in real terms. We have uprated the retirement pension consistently in line with inflation, despite the fact that there are 1·25 million more old-age pensioners today, and despite the fact that the Labour Government, which the right hon. Gentleman supported, although he was not a member of it, that the Labour Government cheated the old-age pensioners. They cheated the old-age pensioner twice. On two occasions, they withdrew the Christmas bonus. They changed the uprating system from the historic uprating to the so-called forecast, cheating them of £1 billion. [HON. MEMBERS: "Answer the question!"] Then they fiddled the forecast—that is what they did—*[Interruption]*

Mr. Speaker: Order. This shouting does not enhance the reputation of this place.

Mr. Lawson: The only change which I have been discussing, and my right hon. Friend the Chief Secretary has been discussing, with my right hon. Friend the Secretary of State for Social Security, is a scheme to improve the benefits received by poorer pensioners. We have done that because pensioners as a whole have seen their real living standard, their real incomes, rise since we took office by over 20 per cent. When the party opposite were in office, they rose by only 3 per cent. That is what has happened, but there are some pensioners who are less well off and we are seeking a way to help them.

Dame Jill Knight (Birmingham, Edgbaston): We are most grateful to my right hon. Friend for the statement that he has just made and for clearing up what most of us thought—*[Interruption.]*

Mr. Speaker: Order.

Dame Jill Knight: —was gross misreporting of the situation at the weekend, thereby making it clear that there is indeed no threat whatsoever to contributory pensions. Will my right hon. Friend note that many of us feel that it is unjust to make non-contributory pensions and handouts to those who can perfectly well afford to do without, bearing in mind that it is the poorer taxpayers who have to foot the bill?

Mr. Lawson: On the second point, my hon. Friend makes an important point, which I think has considerable

[Mr. Lawson]

support on this side of the House. On the first point, I am afraid that it is true that the standards of the press have slipped somewhat since I—*[Laughter.]*

Mr. Speaker: Order. I remind hon. Members that we have a very full day ahead of us. I call the Chancellor of the Exchequer.

Mr. Lawson: —since I ceased to be a member of it. However, I am therefore grateful to the right hon. Gentleman the Leader of the Opposition—the first Leader of the Opposition for 34 years to ask a private notice question of a departmental Minister—for giving me the opportunity to make this statement today.

Mr. A. J. Beith (Berwick-upon-Tweed): How on earth did the Chancellor, as a former journalist, manage to mislead so many journalists at once about his intentions? Does he not realise that the message that is coming across to a great many people is that, if they save for their retirement or have an occupational pension, however small, they will lose benefits, as they have already lost housing benefit, home insulation grants and other benefits? If that message continues to come across, the savings ratio will become even worse than it is now.

Mr. Lawson: The hon. Member has raised an important point. That is a consideration. I hope that there can be a little bit more quiet from the Benches opposite even though I know they have been badly wrong-footed and badly misled by the Leader of the Opposition, as usual.

The hon. Gentleman makes a good point. One could argue that nothing extra should be done to assist these poorer pensioners at all because that would be a disincentive for them to save. One could take that view. It may be the view of the Liberal party, or whatever it is nowadays called, but it is not the view of the Government.

Sir William Clark (Croydon, South): The Leader of the Opposition referred to the right of pensioners to have a pension. Will my right hon. Friend the Chancellor reiterate that under the previous Labour Government, which the right hon. Gentleman supported, pensioners came off very badly indeed, compared with their position since 1979? As the Government are trustees of the taxpayers' money, does my right hon. Friend agree that it is right that that money should go to people in real need, rather than across the board? It is a fallacy to think that all retired pensioners are on the poverty line. Many pensioners can afford to pay the charges and live in very good circumstances.

Mr. Lawson: My hon. Friend is correct. I will repeat what I said earlier on. I am not surprised that, because of the noise and baying from the Benches opposite, it was difficult for my hon. Friend to hear it. When the party opposite were in office—[HON. MEMBERS: "Come off it."] They do not like it, but they have got to listen to it—the real incomes of old-age pensioners rose by only 3 per cent. During the period that we have been in office so far, the real income of the average pensioner has risen by well over 20 per cent.

Mr. Frank Field (Birkenhead): May I thank the Chancellor of the Exchequer for the judicious way in which he waved a fig leaf this afternoon, in his statement about the concessions for some old-age pensioners? Does not he agree that the House is being extremely unfair in its response so far, in that the briefings he gave at the weekend follow logically from the statement that we heard recently on the freezing of child benefit? If it is proper to target help on families in need, is it not also proper for the Government to target help on other groups? Are not the pensions for 7 million pensioners, the payments to half a million widows, the disability pensions drawn by well over 1 million people and the 700,000 payments to the unemployed at stake if the Government really mean to target benefits? I have been a Member of the House since 1979. We in the Labour party have rarely got our teeth near an election winner. We have one today and we do not intend to take them out.

Mr. Lawson: I have considerable respect for the hon. Member, but what I have no respect for is his attempt to terrify millions of old-age pensioners—*[Interruption.]* It is a disgraceful way to try to seek temporary political advantage—a disgraceful way. Let me say that the only announcement I have to make—the only change I have to inform the House of—is the one that I informed the House of today. This is a matter which I hinted to certain journalists on Friday. They misunderstood what I was saying—*[Laughter.]* There is no—*[Interruption.]*

Mr. Speaker: Order. This kind of laughter and these interruptions take up a great deal of time. Many hon. Members want to ask questions about this matter.

Mr. Lawson: —and as a result went in for a farrago of invention but that is no reason for the hon. Member to take it out. What I have to say is this matter is a serious matter. This matter is a serious matter. This matter was discussed by my right hon. Friend the Chief Secretary and my right hon. Friend the Secretary of State for Social Security during this year's public expenditure round but we were not, during that round, in a position to have a worked-out scheme. We were not in this round in a position to put the scheme in place but in due course we shall do so and this is good news for the pensioners and I hope the whole House will welcome it.

Sir Barney Hayhoe (Brentford and Isleworth): Is my right hon. Friend aware that his statement this afternoon, the assurance within it and the assurances that he gave this morning in his interview on Radio 4, will be widely welcomed? However, can he explain why these assurances were not given at least 24 hours earlier?

Mr. Lawson: I think perhaps I may ask my right hon. Friend why he did not try to ascertain the facts of the matter before he made the statement that he did to the media.

Mrs. Audrey Wise (Preston): Will the Chancellor accept our sympathy for his evident inability to make himself understood? Will he accept that his problems would be eased if he in turn realised that what pensioners want are better universal benefits and, if some of those benefits go to those who are rather better off, they will be recouped when those self-same people pay their taxes?

Mr. Lawson: We have maintained the value of the state retirement pension despite the fact that there are a million and a quarter more pensioners—maintained that in real terms as we had pledged we would do and we will continue to do so. That is firm; that is clear. What is also clear is that as a result of SERPS, someone now retiring gets on SERPS an extra £25 a week, whereas in 1979 it was an

extra £1 a week. That is, as I say, an extra £25 a week in SERPS. Many more people now have occupational pensions. Many more pensioners now have savings. Unlike with the Labour Government when inflation robbed them of the value of their savings, they are now getting a real return on their savings. So that is why pensioners as a whole have had their incomes rising faster than that of the rest of the community. But there still remains a problem—[AN HON. MEMBER: "You."]—as all of us on this side of the House know. There still remains a problem of a minority of pensioners who have done far worse. That minority is the minority we propose to address with the new scheme which I told the House about a few moments ago.

Mr. Andrew Bowden (Brighton, Kemptown): Does my right hon. Friend accept that up to 30 per cent. of pensioners live at an unacceptably low standard of living? Does he also agree that another 30 per cent. of pensioners have a very reasonable standard of living? Surely it is quite illogical to give a £10 Christmas bonus to the top 30 per cent. instead of giving a £20 Christmas bonus to the bottom 30 per cent. Let us use the money wisely.

Mr. Lawson: I know of my hon. Friend's concern over many, many years for the pensioners and he has been consistent in that, but I have to say I have no change to announce whatever in the payment of the Christmas bonus. We will continue to pay it; indeed, we have put it on a statutory basis, unlike the Labour Government who, two years out of five they were in office, failed to pay it at all.

Mr. Michael Foot (Blaenau Gwent): As the Chancellor of the Exchequer has somewhat ungallantly attributed all his difficulties to members of the press, will he tell us which were the offending newspapers and whether he intends to invite their representatives to come round and see him again?

Mr. Lawson: The journalists concerned—the journalists concerned know very well if they—and if they look in their notebooks—and they were taking notes—they will see that what—the stories that appeared in the Sunday press bear no relation whatever to what I said.

Mr. Ray Whitney (Wycombe): Does my right hon. Friend agree that the splutterings of the Leader of the Opposition, which were so ill-judged and appeared to be so synthetic, may have been a genuine cry of rage? Does he further agree that all the new and positive thinking on social and other issues come from this Government and from the Conservative party and that there is no new thinking on the part of the Labour party and the other Opposition parties? Last week, the Opposition affected to be outraged by the suggestion that our hon. Friend the Under-Secretary of State responsible for higher education was seeking new funds to ensure that a greater proportion of young people would benefit from higher education. They are now outraged that my right hon. Friend is seeking to find new resources for the lower-income sections of the elderly population.

Mr. Lawson: I think my hon. Friend is right, that the Leader of the Opposition did make, as usual, a complete mess of it and I think that was why his predecessor a moment ago tried to help him.

Mrs. Margaret Ewing (Moray): Does the Chancellor of the Exchequer accept that his arrogant statement today can hardly be interpreted as a consolation to those pensioners who have spent a sleepless night worrying about what will happen? Instead of filling the country with despair and poverty, will he, as an apology, give a commitment that the Government will look carefully at the King's Fund report which shows that British pensioners in general—not a tiny majority—are among the poorest in the world with the lowest life expectancy?

Mr. Lawson: As I pointed out earlier, during the time that we have been in office, the average—the income of the —the real income—the real income, that is, after allowing for inflation—the real income of the average pensioner has risen by well over 20 per cent., over 23 per cent., in fact. It was 23 per cent. by 1986 and it is higher today. That is above the average level of increase for the population as a whole.

Mr. Robert McCrindle (Brentwood and Ongar): Although the targeting of benefits clearly makes a great deal of sense, especially when it is accompanied by additional resources, as my right hon. Friend the Chancellor of the Exchequer has just stated, will he perhaps try to avoid assuming in any future comments that he makes on these matters, that pensioners are either very well-off or on the poverty line, forgetting the large number in the middle to whom, for example, the withdrawal of free prescriptions would be a considerable setback? May I suggest to him that, if his statements over the weekend indicate the beginning of a debate on how targeting and its machinery should be implemented, his comments to the press on Friday will not have been in vain.

Mr. Lawson: I am grateful to my hon. Friend. In fact, the statements, as I said—the statements that appeared in the press on Sunday bore no relation whatever to what I in fact said. What I have said to them is that, while we were absolutely, totally committed to maintaining——

Ms. Clare Short (Birmingham, Ladywood): They will have the shorthand notes.

Mr. Lawson: Oh yes, they will have their shorthand notes and they will know it, and they will know they went behind afterwards and they thought there was not a good enough story and so they produced that. They will know that I said that, while the state pension would continue to be uprated in line with inflation, as we have always said it would, that additional help over and above that ought, in my judgment, to be concentrated on those who are at the poorest end, of pensioners, whose incomes have not risen nearly as fast as the generality of pensioners.

Mr. David Winnick (Walsall, North): As all the Sunday newspapers carried virtually the same story, is the Chancellor saying that every journalist who came to the briefing—he has not denied that there was one—misunderstood what he said and that if the choice is between believing what all the newspapers said or what the Chancellor has said today we should somehow believe the Chancellor?

Does the Chancellor of the Exchequer appreciate, however, that he is to be congratulated—and I, as a member of the Opposition, congratulate him—on revealing the Tories' intentions on the hidden agenda and

[Mr. David Winnick]

making it clear that millions of pensioners should indeed be terrified of what would happen if the Tories were re-elected?

Mr. Lawson: It is quite clear that the less salubrious hon. Members opposite, of which the hon. Member who just spoke is a conspicuous example—[HON. MEMBERS: "Withdraw!"]—are determined to run a scare campaign. In fact, the people of this country will judge this Government by their record and not by the scare campaigns of the party opposite. We saw them before the last election and we remember the result of the last election.

Sir Anthony Grant (Cambridgeshire, South-West): Will my right hon. Friend totally disregard the nonsense talked by Labour Members, whose record on inflation, the elderly, the winter of discontent and the Christmas bonuses was utterly disgraceful? In view of the dangers of misreporting to which my right hon. Friend referred, however, would it not be a good idea to refrain from gabbing to the press until policies are clearly agreed and defined?

Mr. Lawson: My hon. Friend of course was once a Minister himself and therefore he speaks with great authority, but he will recall that it is customary for Ministers to talk to the press on an off-the-record basis from time to time.

Mr. Speaker: Statement—Mr. Hurd.

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Mr. Speaker. Is it in order for the Chancellor of the Exchequer to refer to any right hon. or hon. Member as "less salubrious"?

Mr. Speaker: I have heard worse.

Mr. Winnick: Further to that point of order, Mr. Speaker.

Mr. Speaker: It will take up time and I have already called the hon. Gentleman once.

Mr. Winnick: I am sometimes criticised by my colleagues for the fact that I rarely drink. Should not the Chancellor apologise for his slur? It should make no difference whether a slur comes from the Chancellor or from anyone else. Why can he not apologise?

Hon. Members: Bring him back!

Mr. Speaker: Order. I do not think that the word "salubrious" has anything to do with drink.

Mr. Eric S. Heffer (Liverpool, Walton): On a further point of order, Mr. Speaker. May I ask why on some occasions, on issues not quite so important as this, you allow questions to go on for three quarters of an hour but on this fundamental issue for the mass of ordinary people in this country you bring questions to a close in less than half an hour? I should like an answer from you, Mr. Speaker.

Mr. Speaker: I will give the hon. Gentleman the answer. He well knows that there is a difference between a private notice question, which normally goes on for about 15 minutes—this one went on for 25 minutes—and a statement. This was a private notice question and not a statement.

Mr. Heffer: So what?

Mr. Speaker: Just that!

Broadcasting (White Paper)

3.58 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): With permission, Mr. Speaker, I wish to make a statement about the Government's plans for broadcasting legislation. I have laid a White Paper before the House today.

Our broadcasting system has a rich heritage, which is a tribute to the efforts and enterprise of the broadcasting authorities and all those professionally engaged in the broadcasting enterprise. Our proposals seek to build on those achievements in developing services of quality, range and popularity.

Broadcasting is changing fast and this change makes possible a much wider choice for the viewer and the listener. The viewer should not be denied this choice. That is our starting point. The Government should not seek to lay down a blueprint for the future by picking favoured technologies. Rather, we propose an enabling framework with increased opportunities for additional channels as the customer determines. Several dozen television channels and possibly several hundred radio services may be in prospect.

Subscription, which enables the viewer to signal his preference to the broadcaster directly, will have a greater role to play. There will be a greater separation of the different activities that make up broadcasting, including programme production, the assembly of individual programmes into channels and transmission and service delivery.

The ownership of commercial television and radio should be widely spread. The White Paper contains detailed proposals to ensure that the control of television and radio services is not concentrated in the hands of a few groups or individuals and to prevent excessive media cross-ownership. The Government are determined to keep the market open to newcomers and to prevent any tendency towards editorial uniformity.

Safeguards on minimum standards are needed to protect viewers and listeners from shoddy wares and exploitation. Subject to those, they should be able to exercise greater choice over what they hear and see. While some important positive programming obligations are retained, we envisage a substantial liberalisation, especially of the ITV system, and greater reliance on the viewer, rather than the regulator, to sustain range and quality.

Those are the principles that have guided us. Our thinking has been influenced at many points by the Peacock report and by the admirable report in June of the Home Affairs Committee of this House. I hope that right hon. and hon. Members will find the time to read the White Paper in full, but I shall give a brief outline of the main practical proposals.

We propose that a new fifth channel, with 65 to 70 per cent. national coverage, should be authorised to begin broadcasting at the start of 1993. Different companies could provide the services at different times of the day, but the channel would be nationally based. A sixth channel will also be authorised if technical studies show it to be feasible.

We propose a new flexible framework for the development of multi-channel local services through both cable and microwave transmission, known as MVDS. That will make possible a further extension of viewer choice. It will also provide new opportunities for local television in cities and for television services catering for minority interests.

British Satellite Broadcasting plans to start its three channel direct broadcasting by satellite—DBS—service next autumn. The Government gave BSB an undertaking last year that the United Kingdom's fourth and fifth DBS channels would not be allocated until BSB's service had been in operation for at least three years. BSB has recently said that it would be willing for that moratorium to be lifted. Accordingly, the United Kingdom's two remaining channels will be advertised early next year. Five high-quality DBS channels should soon be available to British viewers.

Viewers will continue to receive other satellite services directly, including those from proposed medium-powered satellites. We continue to work for international agreement for the supervision of programmes in such services and shall propose to Parliament sanctions against any unacceptable foreign satellite services received here.

The present ITV system will become a regionally based Channel 3. Licence holders will, for the first time, have a statutory obligation to provide regional programming, including programmes produced in the region.

The distinctive remit of Channel 4 will be retained and reinforced to sustain high quality programmes in the commercial sector. We consider that, after the necessary legislation, advertising on Channel 4 should be sold separately from that on Channel 3. Subject to those points, the White Paper sets out options on the future constitution of Channel 4. The Welsh Fourth Channel Authority will continue in essence unchanged.

All those commercial television services will be free to decide their own mix between advertising and subscription funding and will have greater freedom to raise money through sponsorship, subject to proper safeguards. All will be subject to consumer protection obligations on programme content. Most commercial television licences, including those for Channel 3 and Channel 5 services, will be allocated by competitive tender, subject to a quality threshold defined in the White Paper. Operators of Channels 3, 4 and 5 will be expected to show high-quality news and current affairs programmes dealing with national and international matters and to show the news, and possibly also current affairs, in main viewing periods. Channel 3 and Channel 5 will be expected to provide a diverse programme service appealing to a variety of tastes and interests to ensure that a minimum of 25 per cent. of original programming came from independent producers and that a proper proportion of programme material is of EC origin.

There will be one additional requirement affecting Channel 3 only. There will be continued provision, like that which brought ITN into existence, to ensure that there is at least one body effectively equipped and financed to provide news for Channel 3. There will be safeguards for the continued provision of a schools programmes service.

The Government agree with the Home Affairs Committee that a new agency, which might be called the Independent Television Commission, should be established, in place of the Independent Broadcasting Authority and the Cable Authority, to license and supervise all parts of the commercial television sector. It will be able to operate with a lighter touch than the IBA and without the

[Mr. Douglas Hurd]

IBA's detailed involvement in scheduling but, as the White Paper sets out, it will have strong sanctions against failure by its licensees to live up to their licence conditions.

The BBC will be expected to continue to provide high-quality programming across the full range of public tastes and interests. The Government look forward to the gradual introduction of subscription on the BBC's television services and to the eventual replacement of the licence fee—which will, however, continue at least for some time to come. We propose that the night hours from one of the BBC's channels should be assigned to the new ITC for allocation, like other licences by competitive tender. The BBC would keep the other set of night hours on the basis that it used it as fully as possible for making a start in developing subscription services.

We envisage that the part played by independent producers in programme making in the United Kingdom will continue to grow, as future licensees will be free to operate as publishers, without programme production capacity of their own. We believe that the transmission infrastructure should be separated from the programmes services.

The Government propose to proceed with the plans that I announced to the House on 19 January for the deregulation and expansion of independent radio, under the light touch regulation of a new Radio Authority. There will be scope for three new national commercial stations and as many as several hundred local services, including community radio stations.

The Broadcasting Standards Council, already established to reinforce standards on sex, violence, taste and decency, will be placed on a statutory footing. We propose that the exemption of broadcasting from the obscenity legislation should be removed at the earliest opportunity.

That is a brief summary of the main proposals set out in the White Paper. We aim to ensure that viewers and listeners have greater freedom of choice from a more varied output of programmes, including programmes of high quality. British television has a deservedly high reputation in the world and we expect that reputation to grow with the new opportunities that are now in sight.

The House will have an opportunity to debate the proposals before they are put into legislative form. We shall also take careful note of views expressed outside the House. We shall then bring forward legislation.

Mr. Roy Hattersley (Birmingham, Sparkbrook): Is the Home Secretary aware that his White Paper announces a number of aspirations for broadcasting with which the Opposition are in wholehearted agreement? We welcome the expansion in broadcasting and recognise the consequent need for changes in organisation. However, we at least know that expansion can bring diversity and high quality only if it is carefully regulated. The Home Secretary, having proclaimed the virtues of choice and quality, makes proposals that will result in a reduction in both.

Does not the right hon. Gentleman realise that, while competition has undoubted benefits in some areas of economic activity, the doctrinal obsession with markets revealed in his White Paper is bound to have an adverse effect on broadcasting? It is just not possible to pretend that viewers are given more choice if what they are offered is, in truth, just a number of extra channels that show programmes that are increasingly indistinguishable from each other and of a steadily deteriorating quality. That is the prospect which the White Paper holds out.

Will the Home Secretary consider the consequences of auctioning Channel 3 franchises to the highest bidder? It can result only in a deterioration in programme quality, which the minimum standards, laid down in paragraphs 6.10 and 6.11, will do little or nothing to arrest. Programme companies that obtain franchises from the highest bids will be forced into sacrificing new investments and the production of high-cost programmes. The Home Secretary has already conceded that some deterioration is already inevitable, by apparently removing from Channel 3 companies the specific obligation to broadcast high-cost drama, documentary and religious programmes. As a result, the new ITC powers that he announced today—that is, formal warning, right to revoke a franchise, and perhaps even the imposition of fines—are no more than window dressing. They are sanctions that reinforce regulations that are not in themselves strong enough to ensure high quality.

Does the Home Secretary not realise that standards will deteriorate even further when the competition that he claims to seek is reduced by the concentration of ownership? Will he confirm that, in paragraph 6.48, he asserts the need for ownership to be widespread, then announces the abandonment of present controls, and finally confesses that the Government do not have the slightest idea what regulation to put in their place? I make a prediction: they will not be regulations to which Mr. Rupert Murdoch takes exception.

The likelihood of increased uniformity has been heightened by the Home Secretary's decision to require Chanel 4 to sell its own advertising. In paragraph 6.23 of the White Paper, he reaffirms the importance of Channel 4 catering for tastes and interests not served by other independent channels. By forcing it into direct competition for advertising, he reduces the chances of Channel 4 providing such essential programmes. Does not the opinion of the Peacock report, which is quoted and endorsed in paragraph 32, illustrate the Home Secretary's basic error? That quotation asserts that the BBC must continue the production of high-quality broadcasts, because, even in a fully developed broadcasting market, independent companies will neglect such broadcasts. The White Paper makes that neglect more likely, and it does not help the BBC to perform its proper function.

The BBC is to be subject to what the White Paper elegantly calls—although the Home Secretary wisely did not refer to the phrase in his statement this afternoon—a "double squeeze". The value of the licence fee is likely to fall, and there can be absolutely no assurance that the necessary additional funds can be raised by subscription television; nor is subscription television a suitable way for the BBC to raise a major part of its revenue.

Paragraph 24 of the White Paper refers to subscription making it easier for high-quality programmes to be aimed profitably at particular sections of the market. The clear implication of that statement is that those who cannot afford high quality—the old and the poor in particular—will not get it. Clearly, the BBC will not be able, nor should it be prepared, to rely on subscriptions for a large part of its income. The result of the double squeeze is certain to do desperate damage to radio in particular, a subject to which the White Paper devotes an insulting page and three quarters.

Paragraph 8.7 includes the ominous message that BBC radio will rely on licence fees for some time to come, but there is no suggestion of how BBC radio will be financed when, as the Home Secretary intends, the licence fee is abolished. We have no doubt that the Government mean that, sooner or later, all radio will be commercial radio, and that will be a disaster. [HON. MEMBERS: "Why?"]

I conclude by asking the Home Secretary three specific questions. The statement says that Channel 3 companies will be free to decide their own mix between advertising and subscription. Does that mean that a company will be free to move to financing, predominantly based on the limited subscription system, or will a minimum figure be specified by the Home Secretary?

Secondly, will the Home Secretary explain the real meaning of his restrictions on control—the word in the White Paper—by non-EC companies? Am I right to fear that it will still be possible for an American conglomerate to own, either directly or through a subsidiary, companies broadcasting in Great Britain?

Thirdly, will the right hon. Gentleman assure us that the powers of the Broadcasting Standards Council, the "other things" that the White Paper coyly says are to be discussed with Lord Rees-Mogg, will not include the right to preview specific broadcasts?

This White Paper reflects commercial values rather than broadcasting values, as is to be expected from a policy that owes more to the Department of Trade and Industry than it does to the Home Office. It pretends to offer choice. In fact, many of the new channels will do no more than offer vast profits to the tycoons of international television. It is a giant retreat from the concept of public service broadcasting. Its result will be less diversity and lower standards.

Mr. Hurd: I think that the right hon. Gentleman must have written the last bit of his speech before he read the White Paper. As usual, his preliminary demonstrations bear little relation to what is actually proposed. This has not been a doctrinal exercise; it is something that we have worked at for a long time now to achieve the right balance between wider choice and the insistence on quality. I do not disagree with the original points that the right hon. Gentleman made and which he put in his lecture at Hexham last week. That is our aim, and I believe that we have found a sensible, practical way of doing that.

I refer to the right hon. Gentleman's specific points. On competitive tender, he has fixed on one point of what is essentially a three-part exercise. Somebody bidding for a franchise will first have to pass a quality threshold. That is not just consumer protection against pornography, excessive partisan politics, and so on. There are some specific things in the White Paper about diversity, about regionality—the regional content of programmes—about schools, and about news and current affairs. When that test is passed—it will be a stiff test—there will be the competitive tender, and then there will be the monitoring and enforcement by the new ITC of the quality threshold in operation.

If the right hon. Gentleman reads the White Paper and sees what is said about the yellow card, the red card, and the possible renewal of franchises, he will see that the business of enforcement is actually more specific that it is under the present arrangement. If he looks at those three stages all together, he will see that this is a serious balance between quality and wider choice.

Again, I entirely agree with what the right hon. Gentleman said in his speech about ownership on Friday. It is important, as the White Paper states, and as the right hon. Gentleman thought we were not going to say, that there should not be a concentration of ownership. Paragraph 6.48 states:

"But clear rules will also be needed which impose limits on concentration of ownership and on excessive cross-media ownership."

In paragraph 6.53 of the White Paper, we set out various stringent rules on which we invite comments. If the right hon. Gentleman reads the White Paper, he will see that they include

"no licence holder for a particular area should control other broadcast media for that area".

Then there is the relationship between United Kingdom satellites and franchises and international franchises. There is also the relationship between newspaper interests and the media. It is all there; it is just that the right hon. Gentleman has not got quite as far as that in his reading of the White Paper. If he looks at paragraph 6.50, he will see the answer to one of his specific questions about the control of franchises by non-EC companies.

We invite precise comments on possible ideas, but the principle of choice between various severe forms of regulation—that is surely what the right hon. Gentleman would expect of us—is there, and it is severe.

We are entirely clear that preserving the remit of Channel 4, with which the right hon. Gentleman also agrees, is an important part of getting the balance right. We set out different ways in which Channel 4 might be organised to preserve the remit while selling its own advertising. When the House looks in detail at those three options, we shall be interested to have a choice between them. I believe that we can all agree on the presentation of the remit, and that there can be a reasoned argument about how best to achieve it.

The right hon. Gentleman spoke about the BBC and the licence fee. I think that the BBC can be—I am trying to choose my words carefully—reasonably satisfied with the position. Between now and 1991, the licence fee will be indexed and increased in line with inflation as it was a week or so ago. After 1991, we shall discuss with the BBC the extent to which it would be reasonable to limit indexing to take account of what may have been earned by subscription. Subscription is an attractive idea, as I told the House when reporting on the Peacock report. We shall have to see how far it will go and in what form, but the BBC is being given a nudge in that direction, which I consider entirely reasonable.

When he talked about radio, the right hon. Gentleman neglected the fact that we have discussed it, and that Government publications on it have been produced. I am sorry that there is not legislative time in the immediate future for a radio Bill. I am keen to get on with the proposals for radio, which were well received at the time and which are rehearsed in summary form in the White Paper. But there is no neglect there; it is simply a matter of finding legislative time.

Having answered one of the right hon. Gentleman's specific questions, I shall now answer the other two. There will be no tilt in the balance between advertising and subscription: it will be open to the successful franchise holder to achieve a balance that he considers sensible. As for previewing, the White Paper does not add to what I have already told the House about the Broadcasting

[Mr. Hurd]

Standards Council. It will be put on a statutory basis. Lord Rees-Mogg, the chairman, is now discussing with the broadcasting authorities how he would operate, and he is making some progress in working out agreement on standards. *[Interruption.]* The right hon. Gentleman should be interested and approving, because this fits absolutely into his general approach—at least, I hope it does. Lord Rees-Mogg will let us know what he believes, in the light of the discussions, to be the right statutory basis for his authority, and we shall make proposals accordingly.

Having listened to the right hon. Gentleman, I believe that the difference between us is that he believes that the only way to sustain quality successfully is by restricting choice. [HON. MEMBERS: "No."] That is the thrust of what the right hon. Gentleman has been saying. But we consider it a negative approach, which puts too much faith in the virtues of detailed bureaucratic regulation—which we have at present and which the IBA has been conscientiously discharging, but which we believe becomes otiose as wider choice is made available. We believe that our proposals offer the right balance between giving wider choice to the viewer and sustaining quality.

Mr. John Wheeler (Westminster, North): Does my right hon. Friend agree that today's statement and the remarks that he has just made will be warmly welcomed not only in the House but outside it? He is balancing carefully the era of change that is about to enter the broadcasting industry, and permitting the public the widest possible choice. His statement will be warmly received by members of the Select Committee on Home Affairs, many of whose key recommendations he has included in the White Paper.

Does my right hon. Friend accept that one of the main aspects of today's proposals is that the new "light touch" arrangements for the regulation of commercial television will be essential to maintaining the quality and standards of British television in the commercial sector, for which this country is rightly famous?

Let me conclude by saying that I would rather that the new authority was called the Commercial Television Authority.

Mr. Hurd: I am grateful to my hon. Friend. He and his colleagues on both sides of the House certainly did a sterling job in producing their report, which undoubtedly influenced us at several points, including the proposal that the IBA and the Cable Authority should be merged into a single new body. As long as it smells sweet, I am not too passionate about its name, and we shall have plenty of opportunities to discuss that.

I agree with my hon. Friend that much will turn on the arrangements for the quality threshold, which I described in answer to the right hon. Gentleman and of which he neglected to take account. The arrangements for sustaining quality involve doing away with the detailed processes of scheduling and regulation of the ITV sector. They involve the BBC, which he called the cornerstone, the Channel 4 remit, the consumer protection provision for Channel 3, positive requirements for Channel 3, including news, schools and diversity, and the more rigorous proposals—the yellow card, the red card and the renewal of franchise arrangements. Taken together, I think that those proposals are an important part of the package.

Mr. Robert Maclennan (Caithness and Sutherland): Does the Home Secretary recognise that my right hon. and hon. Friends greatly welcome the extension of consumer choice implicit in the new broadcasting technologies and in increasing competition? Does he also recognise, however, our extreme concern that he has not realised that the increasing multiplicity of channels will not of itself ensure that the public enjoy the quality and variety that we have experienced in this country, which is the envy of the world?

Does the right hon. Gentleman not recognise that the arrangements for competitive tendering for Channel 3 in particular will take money out of independent television, which could result in inferior programming, a narrowing of choice or a combination of both? Does he not recognise that the pace of technological change is not so fast that it requires us to abandon a regulatory regime that has uniquely secured for this country its rich, balanced mixture of entertainment, information and education, and of popular and minority programmes for everyone? Does he not recognise that the public are as interested in quality as in diversity? Channel 4 has been a brilliant achievement. Does the right hon. Gentleman not recognise that it has succeeded because it has had a secure source of finance, and that that has not been secured in the White Paper?

Finally, does the right hon. Gentleman acknowledge that some ambivalence has appeared in his statement, and indeed in the White Paper, between his commitment to what he calls a "light regulatory touch" and his emphasis on the significance of positive programme requirements? In which does he believe?

Mr. Hurd: I must say that the fizz seems to be going out of the attack. Let me say with the greatest courtesy that I have always regarded the hon. Gentleman as one of nature's regulators. He would naturally put emphasis on a detailed system of regulation to remedy every ill, but I feel that television is moving out of that system.

Of course I agree with the hon. Gentleman's main point, that wider choice might not automatically mean diversity. But our proposal is that it should—that it must. There should not simply be a wider choice between quiz shows on different channels. If he reads the White Paper, the hon. Gentleman will see that the thrust of its proposals is to ensure that wider choice for the viewer is real choice, and not simply a choice between identikit shows. He believes that the right way to achieve that is to bring all new opportunities such as the satellite and Channel 5 under the same detailed control, with numerous officials sitting down and regulating exactly what—[HON. MEMBERS: "No."] That is a consequence of the hon. Gentleman's rhetoric. I do not believe it. I believe that television in this country is fast growing out of that framework. We need a new framework ensuring diversity, as the hon. Gentleman mentions, but not relying for that diversity on this kind of nit-picking.

Sir Peter Blaker (Blackpool, South): Will my right hon. Friend say a little more about cable, in which he knows that I have an interest? Is it still the policy of Her Majesty's Government to maintain conditions in which, given entrepreneurship on the part of cable television companies, the urban areas of the United Kingdom will have the prospect of being cabled within a reasonable time, with the opportunities that that will bring of interactive services and more competitive telecommunications?

Mr. Hurd: Yes, indeed. For various reasons cable has made a slowish start, but it is beginning to pick up. That is both good news and important. We now have the new technology, MVDS, and it was consideration of that which held us up for several weeks. The question is how that new technology should be used. Should it be used simply and solely to help cable forward, or should it be possible for people to use that technology independently of cable? Cable will want to use that technology, and that is entirely legitimate. My right hon. Friend will see from the White Paper the rather complicated balance that we are trying to strike, safeguarding the interests of the existing cable franchise holders and perhaps of those applying now, while not harnessing MVDS technology absolutely to cable. I believe that there is room for both, and certainly, as I know my right hon. Friend hopes, for cable to use MVDS to facilitate its growth.

Mr. Gerald Bermingham (St. Helens, South): Will the Home Secretary accept that, if there is to be choice, the choice must be for all, and that for choice for all, all modes of communication must be available to each and every person? For those in rural areas, that means cable and satellite as well as the five terrestrial channels proposed. Does the Home Secretary agree that the track record of cable in the past few years has been more than a little disappointing? Does he further agree that the White Paper does little to encourage the companies to increase cabling across the country and that without cable and other modes being available to rural and other areas, there cannot possibly be choice for all?

Mr. Hurd: The hon. Gentleman has gone a little astray. A whole series of technologies are moving forward. We have terrestrial television which can reach more people and use more of the spectrum than previously; we have cable, MVDS, satellite and, most important, radio. All are poised for further development. I do not know, and the White Paper does not pretend to guess, which will turn out to be acceptable more quickly than others. That is why I say that we must enable development rather than declare a blueprint. The White Paper takes each to see how we can create a framework into which it can be fitted. The hon. Gentleman may be right about cable and I do not deny what he said. It is now progressing fast after some disappointing years. But I do not think that he is arguing that we should put taxpayers' money into it, as other countries have. Let it be enabled together with the other technologies and we shall see what viewers and entrepreneurs make of it and whether it is the preferred technology.

Sir Geoffrey Johnson Smith (Wealden): I welcome my right hon. Friend's recognition that the television industry must adapt and that the changes proposed in the White Paper offer an exciting challenge to the industry and a wider choice to viewers. Anyone who has been to the lightly regulated market of New York will know that our choice is extremely restricted. Does my right hon. Friend recognise that, even among those who welcome his proposals, some are worried about some of them—for example, the tax on turnover? If that is not sensitively handled, it could undermine the ability of independent television companies to cope successfully with the increased competition and to provide a greater quality of programming under the new regime. Will my right hon. Friend assure the House that he will listen to those anxieties?

Mr. Hurd: I entirely accept that, as the dust settles, hon. Members like my hon. Friend, who knows the industry well, will want to raise a large number of specific and practical points. There is an immediate problem about the nature of the levy in this transitional period, and I owe the industry a decision and statement about that soon. My hon. Friend asked about the permanent arrangements. We believe that there is a strong case on the grounds of encouraging efficiency to move from a profits-based to a revenue-based levy. That principle is set out in the White Paper. Obviously, we shall listen to representations about how that should be worked out and applied.

Dr. David Owen (Plymouth, Devonport): I welcome the diversity and the choice inherent in these proposals, but does the Home Secretary accept that concentration of ownership is a crucial issue? Unless the House can be satisfied on that issue, it would be unwise to deregulate to the extent which he asks the House to accept. Having long argued for an auctioning of licences on Channel 3 and Channel 5, may I ask whether the sum of money that comes in, which could be considerable, will be earmarked for public service broadcasting, particularly on Radio 4 and BBC 2? The Home Secretary asked for views about Channel 4. I hope that he will retain it as a non-profit-making company, although taking advertisements.

Mr. Hurd: I am grateful to the right hon. Gentleman for his first point, and I agree with it. Measures against the concentration of ownership are crucial, and I would not come before the House with a Bill for deregulation which did not also include measures against the concentration of ownership. That is set out in the White Paper——

Mr. Hattersley: No, it is not.

Mr. Hurd: —when the right hon. Gentleman has read that far. I agree with the general point made by the right hon. Member for Plymouth, Devonport (Dr. Owen).The proceeds of the competitive tender will be earmarked for the Treasury as the public's receipt from franchises of leases of a public asset. I am sorry, but I have forgotten the right hon. Gentleman's last point——

Dr. Owen: Channel 4.

Mr. Hurd: I note what the right hon. Gentleman said about Channel 4. He has already chosen one option, and we shall be glad of views from all sides on that matter.

Mr. John Gorst (Hendon, North): In welcoming my right hon. Friend's statement, may I say that it is the most culturally literate development in broadcasting in the 33 years since the BBC lost its monopoly? Will he bear in mind the fact that, during the past 33 years, the Opposition have continuously said that improvements in broadcasting can take place only as a result of the iron grip of regulation and control? At this point, would my right hon. Friend summarise the criteria and principles which have guided the 20 or so new developments contained in this White Paper?

Mr. Hurd: I hope that it breathes through the White Paper that quality and a wider choice for viewers and listeners go hand in hand at the top of the list.

[Mr. Hurd]

Independence, meaning a proper place for independent producers and independence against the concentration of ownership, probably comes third. Although the Government would not enforce this, reality will: that viability is the fourth. In other words, the proposals must make sense in terms of what viewers are prepared to accept and finance. Those four—quality, choice, independence and viability—are the criteria.

Mr. Norman Buchan (Paisley, South): Does the Home Secretary accept that this is not only a bad day for Britain, but for the reputation of Britain in the world? Our broadcasting system has been the great jewel of our reputation both culturally and educationally. He has never understood that its excellence depends on regulation, that regulation ensures diversity of programme and opinion, and that more channels of themselves do not ensure more kinds of programmes. Does the Home Secretary agree that the majority viewing that has been built up for apparently specialist programmes, such as the Attenborough and Bellamy programmes, will not happen under a wholly commercial structure?

Does the right hon. Gentleman agree that he is proposing a minor ghetto for public service broadcasting and commercial freedom for cash for media entrepreneurs? Does he agree that the so-called "light touch" is a means of ensuring that the only competition that will take place will be between different kinds of pap? Is it not time that the Home Secretary took the whole damn lot—Peacock, the Green Paper and himself—out of this Chamber? Is it not time that we took broadcasting away from the Home Office and gave it to a proper Ministry that was interested in standards and programmes?

Mr. Hurd: I know that the hon. Gentleman has always been in favour of a Ministry of Broadcasting, and indeed a shadow Ministry of Broadcasting, and I do not object to those perfectly legitimate ambitions. I remember him posing away the other night in the Sinn Fein debate about the White Paper making the world safe for Murdoch and Maxwell. At least he has not repeated that today. Unlike the right hon. Member for Sparkbrook, perhaps he has read paragraph 6.48, which deals with the concentration of ownership. Those who run BBC 1, BBC 2 and Channel 4 —three of the four existing terrestrial channels—would be a little surprised to hear themselves described by the hon. Gentleman as a "minor ghetto" in British broadcasting. They are not. Those three channels will sustain exactly the responsibilities that they have now and which the hon. Gentleman wishes to preserve. I do not agree with the hon. Gentleman. He speaks with the genuine voice of the old-fashioned regulator, whom time has passed by.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that the Home Secretary said that there will be a debate later on the White Paper. I request hon. Members to ask single questions, not to go into the matter in great detail, because they will have other opportunities. On that basis, I shall allow questions to continue for 15 minutes.

Sir Philip Goodhart (Beckenham): Tens of millions of dollars have been spent on political television advertising in the American presidential elections, which are mercifully coming to an end. Will my right hon. Friend assure us that the new broadcasting arrangements will prevent direct or indirect political advertising on the air?

Mr. Hurd: Yes, I give my hon. Friend that assurance.

Mr. Eric S. Heffer (Liverpool, Walton): I shall obey your strictures, Mr. Speaker. I should tell the Home Secretary that no Opposition Member has seen the White Paper because it has only just come in. The Home Secretary talked about quality control, but who will carry out that control? Who will determine it? Can we ensure that in future, instead of the trivia that we increasingly get on television, with all these game shows, we shall have programmes such as "Brideshead Revisited", the Miss Marple series and "Fortunes of War"? How can he guarantee that we will get such quality programmes if the interests of profit come first?

Mr. Hurd: The answer to the hon. Gentleman's question is, the BBC and the ITC. Those who run the BBC will continue to supply the hon. Gentleman with Miss Marple to his and their hearts' content: there will be no change in that respect. The ITC will require variety and diversity from the applicants for franchises. It will be impossible for someone successfully to bid for a franchise, however long his purse, if he is proposing to broadcast only a series of quiz shows.

Mr. Toby Jessel (Twickenham): As to radio, does my right hon. Friend accept that the high standard of British music, which is a national asset, owes a great deal to the BBC's Radio 3? Will he enlarge on what action the Government intend to take in the long run to uphold the high musical standards of Radio 3?

Mr. Hurd: That is a matter for the BBC. Nothing in these proposals would prevent that from continuing.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Will the Secretary of State accept that I and my hon. Friends are impressed by the stand that he is taking against the concentration of ownership in television? What steps will he and his hon. Friends take to guard against the concentration of ownership in the print media? Will he assure us that there will be no exceptions to such concentrations of ownership, even if the companies involved are the most fervent supporters of the Government?

Mr. Hurd: I gladly swallow the hon. Lady's compliment, but I shall not answer her second question. Because of the breakdown of restrictive practices in the press it is becoming increasingly possible, locally and nationally, to produce newspapers at lower prices—*[Interruption.]* The hon. Member for Paisley, South will be calling *The Independent* a poor ghetto in a minute.

That is what is happening, and it is a healthy development.

Mr. Roger Gale (Thanet, North): I congratulate my right hon. Friend on his proposals to abolish the IBA and to establish an Independent Television Commission to take broadcasting into the 21st century. Will he consider an expansion of that to include telecommunications? May I express the hope that the excellent IBA engineering division will be invited to tender for the new privatised transmission systems? What plans does my right hon.

Friend have to encourage investment in cable television and to relax the regulations governing overseas investment in cable?

Mr. Hurd: We are considering the matter raised in my hon. Friend's second point, although it is not defined in the White Paper. On the first point, important transitional arrangements will have to be made for the IBA. We have begun to discuss that with the authority, and this morning I had a word with the chairman and director general, who stressed the importance of the matter. I entirely understand that. They have a staff—a skilled staff—to consider. None of the changes can take place before Parliament has approved the necessary legislation. That will give us time to formulate transitional arrangements to deal with the points made by my hon. Friend.

Neither I nor the White Paper join in any denunciation of the IBA. Although I criticise the bureaucratic niggling, I recognise that that is the job which Parliament laid upon the authority in the 1981 Act and which the hon. Member for Paisley, South (Mr. Buchan) continues to glorify. Time has moved on and passed that by, and the detailed regulation that the authority has carried out, as Parliament wished, is unnecessary. But that does not mean that those who have carried it out should be condemned.

Mr. Austin Mitchell (Great Grimsby): We can all sympathise with the Home Secretary in his humiliation at having to introduce this glossy distillation of the prejudices of Lord Young of Graffham, Saatchi and Saatchi and the Prime Minister. But the grubby changes in the ITV franchises and the abolition of the IBA pose a direct threat to serious programming, especially to current affairs, which is likely to undermine the basis of "World in Action", "First Tuesday" and "This Week" and to cause them to go the way that "Weekend World" has gone. What became of the old Conservative maxim, "If it ain't broke, don't fix it"?

Mr. Hurd: I do not blame the hon. Gentleman, who unlike the right hon. Member for Sparkbrook, has not had time to read the White Paper. Had he read it, he would have seen that standing out among the positive requirements of any applicant for a Channel 3 franchise will be the provision of news and current affairs programmes at times when people are viewing or listening. Moreover, section 22 of the Broadcasting Act 1981 provides that there should be at least one organisation providing high-quality news and international news that is sustained by the franchise holders. That is the basis of Independent Television News and that will be preserved. The hon. Gentleman's fears are unfounded.

Mr. Jonathan Aitken (Thanet, South): Will my right hon. Friend clarify precisely what the White Paper means when it says that the new Independent Television Commission will have a lighter regulatory touch to encourage lighter programme requirements? Does my right hon. Friend agree that ITV programming has not always been noted for its gravity and that the IBA has not always been noted for its severity? How does he answer the fear that a lighter regulatory touch may mean television stations with the editorial standards of the lower tabloids?

Mr. Hurd: I do not think that my hon. Friend's conclusion follows from his premise. The fact that he disagrees with some decisions made by the IBA does not justify the existence of much detailed bureaucratic scheduling, most of which never reaches the light of day but is carried out conscientiously by the IBA as part of its present duties. It is not tenable to continue that. That is what we mean by the "lighter touch".

Mr. Tony Banks (Newham, North-West): How does the Home Secretary expect the House to take seriously his assurances about preserving standards in broadcasting when he is to abolish the IBA and is announcing his intention to move towards privatising the BBC? How moveable is he in this consultative document? If there is much protest about, for example, the abolition of the IBA, will he come to the House and say, "I accept what has been said"?

May I congratulate the Home Secretary on being the first Minister who has not succumbed to the temptation of putting his own grinning face on the front page of a glossy White Paper? That self-denying ordinance should be referred to all members of the Cabinet.

Mr. Hurd: I am obliged for the hon. Gentleman's second point. I believe that the IBA should be moved together with the Cable Authority. To be honest, that was not a view that we had firmly reached before we received the report of the Select Committee on Home Affairs, which recommended it. It is common sense to bring together those regulatory authorities and give them a common framework in which to operate. That is what we are proposing and that is something to which we will hold.

Mr. Jeremy Hanley (Richmond and Barnes): Does my right hon. Friend agree that, if one listened to the Opposition, one might think my right hon. Friend had introduced reform for reform's sake rather than reform being forced on the Government by changing technology? Has not the White Paper been a rational, sensible and practical way forward for the future of broadcasting? What effect does my right hon. Friend expect there to be on the BBC when the BBC and the IBA are separated from the licence fee regime? The IBA is currently received in conjunction with the BBC, and only if the BBC licence fee is paid. Secondly, at what level does he believe the subscription would be for IBA viewers—who, after all, currently receive that service free?

Mr. Hurd: I am not entirely following my hon. Friend's point, but we believe that subscription is attractive in principle. The BBC is beginning to experiment with it on one of its night channels; so, too, is the satellite DBS. There is scope for further experimentation, and we propose to nudge the BBC in that direction, without being dogmatic at present as to how far that could go.

If my hon. Friend was talking about the point raised by the right hon. Member for Sparkbrook, of course, BBC radio is a problem. BBC radio is financed out of the licence fee and there is no question of doing away with it, because I regard it as essential to the general structure of broadcasting. As we move towards subscription, that will be a problem which will clearly come on to the agenda fairly soon. I accept that, but we are not at that stage yet. We are at the stage of indexing the licence fee and taking account after 1991 of the extent to which the BBC might reasonably benefit from subscription income. I hope that that meets my hon. Friend's point.

Mr. Jeff Rooker (Birmingham, Perry Barr): I have not read paragraph 6.48, which the right hon. Gentleman constantly referred to, which is about the concentration of

[Mr. Jeff Rooker]

ownership. However, is the concentration of ownerhsip specific to television or does it cover also the concentration of ownership within the media? Frankly, with the amount of media and press publishing controlled by Murdoch and Maxwell—I do not mean "the Murdochs" and "the Maxwells"; I mean Murdoch and Maxwell—they should not have even a finger in the pie of any television company. Does the concentration of ownership cross over from television to the press, or is the paragraph exclusive to television? If so, it does not go far enough.

Mr. Hurd: Yes, that is why, in paragraph 6.53, one of the principles that we lay down is:

"national newspaper interests in national services using United Kingdom broadcasting frequencies (and vice versa) should be limited; and a similar principle should apply in the case of local services and the local press. One possibility"—

not going as far as the hon. Gentleman would like—

"would be to follow the reciprocal 20 per cent. limit already proposed in the case of radio".

However, we go further than that, because another conceivable mischief is that people who own a lot of international television would move in and take franchises; that, too, is covered in this part of the White Paper. We would have to ensure that they did not get the franchises.

Mr. John Greenway (Ryedale): I am sure that my right hon. Friend will agree that regional television companies will greatly welcome the Government's continuing commitment to the regional structure of ITV. I note in paragraph 2 of the annex to the report that the function of the ITC will be to decide with the Government on that regional structure. Can my right hon. Friend tell us how he sees that structure regionally compared with the present structure? Does he accept that the important role of the ITC means that it is essential that a chairman for the new authority is appointed at the earliest possible opportunity?

Mr. Hurd: As my hon. Friend knows, what we need in the near future is a successor to Lord Thomson of Monifieth as chairman of the IBA. What follows for the ITC is something that can be settled a bit later, because the ITC is so far just a proposal in a White Paper which Parliament will want to debate and reach conclusions on.

My hon. Friend mentioned an important point about the regions. We do not think it would be sensible for the Government to lay down in a White Paper the exact frontiers of the regions. My hon. Friend comes from a part of the world where that is a live issue from time to time. I believe that that is something that Governments should have at arm's length and which the new ITC should settle. However, we are emphatic that the regional principle should not only be kept, but should be strengthened when we are dealing with Channel 3 and the ITV franchises.

Mr. David Clelland (Tyne Bridge): Does the right hon. Gentleman agree that, even if the Government were to succeed in preventing a concentration of ownership, the danger is that an increase in competition for advertisers, together with the so-called "light touch" regime, will mean that the overwhelming influence will be in the hands of the advertisers? That will lead to restrictions in choice and the lowering of standards. That has been the experience of every country that relies on competition rather than regulation.

Mr. Hurd: I do not believe that is entirely right. Channel 4 is doing well. It is paying for itself and has carved out for itself a particular form of advertising market that obviously works. There is a strong argument that Channel 4 could be completely privatised and still retain that rather special advertising finance which would enable it to keep the remit. There are counter-arguments, which are set out in the White Paper. I do not agree that it has been the experience up to now that keeping a certain number of channels financed by advertisers has the effect to which the hon. Gentleman referred.

Mr. Michael Morris (Northampton, South): As the Minister of State has been defending the United Kingdom's commercial interest so well over the Council of Europe draft convention, can my right hon. Friend the Home Secretary tell us that there are no proposals in the White Paper that will fall foul of that convention? Additionally, will the proposals on the BBC mean a change in the BBC's charter?

Mr. Hurd: My hon. Friend's first point is quite right. My hon. Friend the Member for Mid-Sussex (Mr. Renton) has been doing noble work in trying to reach an international agreement in the Council of Europe, which is dealt with in the White Paper. We are keen that that should be concluded. My hon. Friend has made a good deal of progress in resolving the difficulty about advertising breaks. Other member states of the Council of Europe have raised difficulties, but we hope to have a further meeting in Stockholm later this month, which my hon. Friend will attend, and it is possible that decisive progress will then be made.

The BBC charter expires at the end of 1996 and there are no proposals to seek to alter it before then. I suppose that those people who are around in 1994 will begin a new debate about what the revised charter should contain. At that stage, some of the points mentioned today and contained in the White Paper will come to the fore, and by then we shall know more about the way subscription has gone.

Mrs. Margaret Ewing (Moray): Does the Home Secretary accept that many of us are deeply concerned about the regional implications due to the failure of the White Paper to bring forward a clear framework on the takeover procedures, because it seems likely that powerful predators will be able to put profit before variety, standards and quality? Can he tell us why there is no specific reference to SC4 and the provision for Gaelic, as there is for the Welsh channel and the Welsh language?

Mr. Hurd: There is provision, because my right hon. and learned Friend the Secretary of State for Scotland insisted that there should be. If we cannot find the reference in the next few seconds, I will inform the hon. Lady later. The provision is there, it is very specific and it will fully satisfy.

I have been informed that it is paragraph 6.37. It says:

"The Government recognises the importance of broadcasting to the Gaelic language and its future development and, while no change is implied in present policies towards Gaelic broadcasting at national or regional level, new local services could be an important means of meeting Gaelic needs."

It is better news for the hon. Lady.

Mr. Peter Griffiths (Portsmouth, North): Does my right hon. Friend agree that the main barrier to the effective exercise of popular choice on television is the continued

existence of the BBC licence fee? If the evidence is that subscription will not lead to an early demise of the licence fee after 1991, will my right hon. Friend be ready to consider alternative forms of funding for the BBC that will lead to an early abolition of the licence?

Mr. Hurd: I have got into trouble in the past for saying that, as choice multiplies, the rationale behind the BBC licence fee—which is paid whether one does or does not watch the BBC—becomes weak. I believe that that is true; that is why I do not believe that the licence fee should be regarded as immortal. We have set out carefully in the White Paper the steps that we propose to take to nudge the BBC towards looking at subscription, but it is too early to answer my hon. Friend's point. The Peacock report's advice, which we accepted, was against having advertising on the BBC. The White Paper does not reopen that question.

Mr. Hattersley: The Home Secretary has said some 10 or 12 times that the White Paper is explicit and specific in its proposal to avoid concentration. If that is the case, why does the paragraph dealing with that subject conclude, after several sentences of platitudes:

"the Government would welcome comments on the scope and formulation of such rules"?

Do the Government know what they intend or not? The Home Secretary should face the fact that, if the argument between us is to be about "choice", he must try to concentrate on what that word means. For viewers to have a real choice there must be real alternatives between which they can choose. Does he not worry to the slightest degree that he will reduce variety by placing so much power in the hands of the producers in the market that he will attempt to create?

Mr. Hurd: On the first point—I think that the right hon. Gentleman is on a false point—we state quite clearly in paragraph 6.48:

"clear rules will also be needed which impose limits on concentration of ownership".

In paragraph 6.53, we sketch the ground that those rules will need to cover, which I have already outlined in answer to the hon. Member for Birmingham, Perry Barr (Mr. Rooker). The general principles include newspapers, concentration of ownership within the television industry and the possible concentration among foreign holders of television interests and our own. Those are possible proposals set out to consider the concentration of ownership.

Since we are a democratic and listening Government —*[Interruption.]*—particularly in this sphere, we have asked for views on precisely how those principles, which are absolutely clear and firm, should be applied. The right hon. Gentleman would have been furious if, almost a year before we introduced legislation, we said that, on this important issue, our minds were entirely closed. The principles are there, they are firm and they meet the points which the right hon. Gentleman has raised. After he has finished his rhetoric, should he favour us with precise ideas on how the principles should be implemented, we shall add them to our own and those expressed by other hon. Members who have raised this issue.

As I told the right hon. Member for Plymouth, Devonport (Dr. Owen), when we come next year, to produce a detailed plan for this House to consider, he is right to say that side by side with the proposals for deregulation must be proposals against a concentration of ownership.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am sorry that I have not been able to call all the hon. Members who wished to participate, but as usual, I shall keep a list and give them precedence when this matter comes before the House again.

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Speaker. When the Home Secretary began his statement the White Paper was available in the Vote Office. As you will appreciate, Mr. Speaker, it is extremely difficult within two or three minutes, to examine that document. There is a summary, in the Home Secretary's statement, and as soon as he began that statement, copies were distributed in the Press Gallery. That statement is not available in the Vote Office, but I believe that it should be because it gives a more comprehensive summary of the position rather than having to go through the entire White Paper. If you, Mr. Speaker, could deprecate the omission of a statement from the Vote Office when a White Paper is placed there, it would help all of us.

Mr. Speaker: It is normal practice for embargoed copies of a ministerial statement to be issued to the press, but they are embargoed until the Secretary of State gets up —*[Interruption]* I really do not see why the press should have those statements before Members. It is not for me to impose the practice, but I believe that it would be helpful to the House if summaries could be put in the Vote Office with the White Paper.

Orders of the Day

Rate Support Grants Bill

Considered in Committee.

[MR. HAROLD WALKER *in the Chair.*]

Ordered,

That the Bill be considered in the following order: Clauses 1 and 2, Schedule 1, Clause 3, Schedule 2, Clauses 4 to 7, new Clauses, and new Schedules.—*[Mr. Gummer.]*

Clause 1

TOTAL EXPENDITURE: 1985-86 to 1988-89

5.4 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): I beg to move amendment No. 1, in page 1, line 9, at end insert

'except where in relation to any year a local authority has before 7th July 1988 approved its accounts in which case he shall treat total expenditure as equal to the amount approved by the authority'.

The Chairman of Ways and Means (Mr. Harold Walker): With this it will be convenient to discuss the following amendments: No. 19, in page 1, line 9, at the end insert

'except where in relation to any year a local authority has before 7th July 1988 approved its accounts and submitted them to the district auditor in which case he shall treat total expenditure as equal to the amount approved by the authority.'.

No. 4, in schedule 1, page 8, line 44, at end insert

'except where paragraph 3A applies'.

No. 6, in page 8, line 50, after 'the relevant amount', insert

'except where paragraph 3B applies'.

No. 8, in page 8, line 50, after 'the relevant amount' insert

'subject to sub-paragraph (2A) below.'.

No. 9, in page 8, line 50, at end insert—

'(2A) Where a local authority has made a decision before 7th July 1988 which affects its total expenditure in relation to the year and the authority has submitted to the Secretary of State by 31st January 1989 a statement certified by the auditor appointed under Part III of the Local Government Finance Act 1982 that the decision increases or decreases the authority's total expenditure by a certified amount, the relevant amount is (as regards the authority) the amount submitted under sub-paragraph (2) above as adjusted by the certified amount.'.

No. 5, in page 9, line 40, at end insert—

'3A.—(1) This paragraph applies where a local authority has approved its accounts after 6th July 1988 and before 31st October 1988 and where the amount of its total expenditure in relation to the year has been certified by the auditor appointed under Part III of the Local Government Finance Act 1982.

(2) In such a case the relevant amount is the amount certified by the auditor.'.

No. 7, in page 9, line 40, at end insert—

'3B.(1)—This paragraph applies where—

(a) A local authority or a Committee of a local authority has received before 7th July 1988 from the person having responsibility for the administration of its financial affairs a report containing estimates of expenditure in the relation to the year, and

(b) the authority has submitted to the Secretary of State before 31st January 1989 a statement containing an amount of total expenditure consistent with the estimates and certified by the auditor appointed under Part III of the Local Government Finance Act 1982.

(2) In such a case the relevant amount is the amount certified by the auditor.

(3) Where there is more than one report received, the report referred to in sub-paragraph (1)(a) above is the latest to be received before 7th July 1988.'.

Mr. Rooker: This is the largest group of amendments and, in effect, they encompass four separate points although they are all related to the retrospective nature of the Bill and the fact that many local authorities feel extremely hard done by because of the nature of the Government's announcement in July. Certainly I do not intend to repeat the points that I made on Second Reading last week, but obviously I suspect there will be constant reference to those local authorities that will lose considerable sums of money because of the operation of the Bill.

The purpose of amendment No. 1 and the purpose of several other amendments, is to allow information that was known about a local authority's expenditure and which was already in the public domain before 7 July, to be used, even though that information had not been received by the Secretary of State. His closedown date for such information was midnight 6 July.

Amendment No. 1 is certainly the most straightforward of the amendments, which will inevitably contain a great degree of technical detail. It deals specifically with the circumstances of an authority which had approved the accounts for any of the years beginning 1985-86, 1986-87 or 1987-88. Of course I accept that the amendment principally affects the year 1987-88 because, in most cases, the 1985-86 and 1986-87 accounts had been closed before the beginning of this year.

Although accounts may have been closed, it would not normally be a matter that would be immediately reported to the Department of the Environment. I understand that, for the accounts for 1987-88, the normal course of events would have been for the authorities to report the outturn of expenditure on a group of forms, not due for return to the Department of the Environment until 1 August. They would not even have been issued by the Department until 24 June. Of course, 6 July comes virtually in the middle of those two dates.

Authorities that have been prompt in closing their accounts and have managed to reduce expenditure below the level anticipated in their budgets or have produced revised estimates are now denied any advantage they would have received because of the Secretary of State's insistence on using information that was received by him before 7 July. Those authorities feel roughly treated, to put it mildly.

At this stage I shall give one example that has been well documented. The authority does not constitute a large urban area—I tended to concentrate upon such examples on Second Reading. It is helpful that my new example comes from a district in the constituency of a Cabinet member. Obviously that is advantageous because I do not want to be seen to be seeking to make partisan points. This is an example of local government feeling badly treated by central Government. Last week I made it clear that Conservative authorities will lose hundreds of millions of pounds, as will Labour authorities, and that it will be the ratepayers and the poll tax payers who will have to foot the bill.

I hope that the Minister will give us the reason why West Somerset district council has been so roughly treated. I should like to draw the attention of the Committee to correspondence sent from that council to its Member of Parliament, the Secretary of State for Northern Ireland. A few short sentences, giving the relevant dates, show how a well-run, efficient authority, which is not large, has been shortchanged by more than £100,000 as a result of the Bill. The letter was sent to the Secretary of State from the treasurer and is dated 11 July. It makes it clear that as a result of the decision of midnight on 6 July, the council will lose £133,000.

It is worth giving details of some of the dates because that will show how other authorities are affected. The treasurer states:

"On 4th March 1988 I returned RER89 showing the Council's revised estimated 1987-88 'Total Expenditure' for Rates Support Grant of £1,621,000. On 6th May, 1988 the Council's Final Accounts for 1987-88 were completed and the actual 'Total Expenditure' for Rate Support Grant was £1,477,808. The effect of this reduction of £143,000 enabled me to calculate an additional amount of Rate Support Grant of £133,000 at a marginal grant rate of 93p for every £1 of reduced expenditure."

The treasurer made it clear that there had been a reduction from what was originally budgeted. Whereas councils that spend over the figures laid down by the Government have their grant reduced, if councils spend under those figures, they get additional grant that is not even pro rata, in this case, 93p for every £1 of reduced expenditure.

The treasurer continues:

"The Council's Statement of Accounts for 1987-88 was completed on 18th May, 1988 and signed by me.

The Council's Finance Sub Committee received a report . . . on 14th June, 1988 about the Final Accounts-General Rate Fund Net Rate Fund Expenditure 1987-88 which it approved.

The Department of the Environment sent me the Annual Revenue Outturn Returns for 1987-88 including the Rate Support Grant Return on 24th June, 1988 which I received on Tuesday 28th June, 1988. This was four weeks later than in 1987. My Deputy tackled them immediately and completed them on Wednesday, 6th July, 1988. All Returns were posted 2nd class the next day".

That local authority saved ratepayers' money and did not automatically use first-class post. There was no reason to do so.

The letter continues:

"the Department stipulates that it requires them back by 1st August, 1988."

Clearly, the Department would have received the returns by 1 August. However, in the meantime, the 6 July decision was made and as a result the council lost £133,000.

I ask the Minister what was slipshod and lethargic about the council's behaviour. What was inefficient about the way in which the council dealt with the forms that it was required to send to the Department, and the way in which the treasurer and his deputy dealt with its committee meetings? What is lethargic, incompetent or inefficient about that? The council lost a considerable sum. I do not know what the percentage is, but it will be a fairly hefty percentage of the council's expenditure.

5.15 pm

The reply from the Secretary of State for the Environment to his Cabinet colleague can be summed up as, "Tough." According to the treasurer, the £133,000 is "a loss equivalent to a 2·2p rate for ratepayers in West Somerset."

When ratepayers in west Somerset get their rate demands for next year, over 2p in the pound will be a direct result of the council being short-changed through the Government choosing an unfair, arbitrary date and then not wanting to take on board other information that was already in the public domain. That council would not seek to change a single figure in the accounts to which I have referred. No creative accounting is involved. All the information went before the committees and was dealt with in public. The council does not seek to change any of it. All it says is that because it was public information, the Department of the Environment should take it on board and look at the accounts accordingly.

Amendment No. 5 and its paving amendment, No. 4, require the Secretary of State to take into account local authorities' final expenditure figures for 1987-88 in determining their grant entitlement in cases where the authority had approved its accounts and had them certified by its auditor after 6 July but before 31 October 1988. The significance of the latter is that that was the date of the Bill's Second Reading.

Again, the information would be available already. We are addressing ourselves simply to the arbitrary cut-off date of 6 July. The accounts would be certified by an auditor. The amendment would require the Secretary of State to take into account information later than 6 July if it met the relevant criteria. He would have to take into account increases in expenditure that would reduce grant as well as reductions in expenditure that would increase grant, which is the example that I have just given from west Somerset. On past trends, local authorities' final expenditure would be lower in aggregate than the earlier estimates, so there would be a net recoupment of holdback grant. Even so, the Treasury would still gain.

The Minister should consider that seriously. We are looking at the period from 6 July until 31 October, which is not arbitrary, but the date of the Bill's Second Reading. That is another point that should be considered as the Bill goes through its legislative process, although one can hardly call what is happening today a legislative process because the Bill will not receive the scrutiny that it deserves.

For practical purposes, I should like to call amendments Nos. 6 and 7 the Brent amendments because they are about the effect on the London borough of Brent. The amendments would allow the latest expenditure estimates for 1987-88, prepared by the director of finance or the treasurer of an authority before 7 July, to be substituted for the latest figures received by the Department of the Environment.

Let me give the reasons for the amendments. Clearly, local authorities did not know before 7 July of the Secretary of State's intention to use the latest information available to him as the final basis of calculation for the rate support grant in 1987-88 or, indeed, any of the two previous years. That was a secret. The Secretary of State's scheme to come to the House to make his statement would not have worked if it had not been a secret. That was a necessary part of his plan. As a consequence, authorities were unaware of the need to get the latest estimates for expenditure for 1987-88 to the DOE. The authorities could have sent earlier estimates. As a result, the Government were using estimates which were too high and local authorities will lose grant. It is only fair that amendment No. 7 would allow local authorities to replace the DOE's assumption with later estimates.

[Mr. Rooker]

It is important to note that amendment No. 7 will only allow that substitution if the following five conditions are met. First, it will allow substitution if the later estimates were received from the director of finance or treasurer by the local authority or a committee of the local authority, in other words, if the estimates are a matter of public record. No local authorities hold meetings in secret. If they do, we would like to know about them because that is not supposed to be the case. We are looking for information which is clearly in the public domain.

The second condition is if the later estimates were received by the authority before 7 July—that is, before the date of the Secretary of State's announcement—so there is no question of the estimates being doctored after the statement.

The third condition is that the authority makes known to the DOE by 31 January next that it has later estimates so that there will be no additional work for DOE staff in finding the latest estimates from each authority. We do not want to impose extra work on the hard-pressed civil servants in the DOE.

Fourthly, the district auditor—who is independent—must certify that the total expenditure figure submitted fulfills the requirement of the law in that it is the latest estimate before 7 July 1988 and that the total expenditure figure is consistent with the estimates.

The final condition is that the report to be used as the basis of the substitution should be the latest report prepared for the director of finance or treasurer before the 7 July deadline, so that there is no scope for any authority to choose the most favourable report. Some authorities may have three or four estimates, some higher and some lower than others. We do not want to allow an authority to choose one, knowing the new rules, to maximise its grant. I am referring to the latest estimate that has been prepared and presented to the authority.

If the Minister for Local Government wants to accept any of the amendments or to intervene at any time, I will gladly shut up and sit down and we can then make further progress. I take that for granted in Committee. I am not here to listen to the sound of my own voice or to talk to Ministers if they do not listen to me. I offer that opportunity to the Minister in a spirit of co-operation.

Clearly, the Minister is not about to accept the amendment and I must therefore surmise why the Minister will rubbish it. First, he will say that there is scope for ambiguity about the total expenditure figure and therefore it is not certain. Obviously there is certainty in the Bill at the moment and it will mean extremely rough justice for many local authorities. The Government will argue that local authorities should be free to choose whether they submit a certified statement. If that approach is taken, all authorities should be treated in the same way. The Minister might also say that the amendment will delay the making of a supplementary report for 1987-88 until the new year.

For the benefit of my education, the Opposition's advisers have provided me with replies to those objections which the Minister might use. I will cite this advice now because it will save bother later and reinforce my points about Brent.

We argue that there will be certainty about the appropriate total expenditure figure because of the five safeguards, or conditions, which I have referred to in some detail. There will be no change if a local authority does not submit a certified statement. Clearly it is up to the authority to do that. If it submits such a statement, the Government will know that it is consistent with the latest estimate to the authority or its committee before 7 July and that it is the latest estimate. The district auditor will be required to certify that that is the case. There is no scope for ambiguity.

Those authorities which submit a statement will only regain grant that they were entitled to before the advent of the Bill. As I said last week, local authorities had every expectation that the £512 million would in due course be available to them and not paid back to the Treasury. We are not talking about new money over and above that which Parliament has already agreed. The amendment will allow authorities to avoid injustice which they would otherwise suffer. That is fair enough.

I have it on the best authority that the delay to a supplementary report is not serious. For 1987-88 the grant entitlement of one authority is not affected by that of others. Therefore, each authority will know what change in grant it can expect to receive. I understand that it is quite common practice for the DOE and the Secretary of State to lay the supplementary reports before Parliament in the period before a new financial year, but only to implement the change once the year begins. That allows local authorities to budget for otherwise unforeseen grant changes. The timetable built into the amendment allows all that to happen.

I want to refer to the figures for one authority which would benefit from the amendment. Most of the figures used by the DOE for the purposes of the Bill for the year 1987-88—which is the year affected for which the accounts will be closed down, it is not the current financial year—come from the form RER89. That form contains budget figures for 1988-89 and the revised estimates for 1987-88.

Brent council had not submitted its RER89 form by 7 July 1988. No one would argue about that. Brent had agreed a total expenditure figure when it set its rate in March, but it was unable to decide how its budget should be split between the different service areas. Therefore it could not fill in all the form. No hon. Member needs to recite the financial difficulties that Brent has faced.

While Brent had agreed its total figure, it could not fill in the detailed form for the particular service areas. As it did not want to send off a partly filled in form, that form was not sent. Officials from the DOE telephoned Brent to find out the total expenditure figure for 1988-89 and asked for that to be confirmed in writing. Brent did not confirm the revised estimate for 1987-88, although the figure was available and provided to DOE officials orally.

Brent did not appreciate the significance of this until after 7 July. Its revised estimate as reported to the council in March showed a £5·9 million reduction in expenditure compared to the figure that the Government are using. Everyone realises that Brent council is making substantial cuts in its expenditure this year. However, as a result of the Bill the difficulties facing the councillors and citizens of Brent will be made even worse. That is because Brent will lose £8 million in grant that it reasonably expected to receive. The figures were calculated by Brent officials and agreed by the councillors. Councillors do not go round willy-nilly cutting services. However, they cut the budget

by £5·9 million and are prepared to take the consequences and to fight their corner. I shall later deal with the detail about that.

5.30 pm

Brent councillors reasonably expected to receive £8 million in extra grant. That is part of what the debate is all about. The Government always tell councils to cut their expenditure below the level that they are planning and they will get more grant, more money pound for pound. The amendment would allow Brent to submit a statement certified by the district auditor saying that its latest estimates of expenditure for 1987-88 are lower than the Department of the Environment had assumed.

How many times have we heard local government Ministers—I exclude the present Minister who has not been long in post—attack Brent for spending too much and call upon it to reduce expenditure? Brent has done that and it is grossly unfair to penalise it to the tune of £8 million. We want the amendment so that Brent will be allowed to submit a statement of the sort that I have outlined. That would certainly remove the unwanted and unwarranted financial pressure on Brent council which is extremely hard pressed and suffering.

I recently read a heavyweight piece in *The Independent* written by some professor whose name I forget. The piece was about Brent but the writer did not say whether he was a ratepayer or lived there. However, he said that Brent needed financial help. He also made some political points and said that Brent had been badly treated over its finances.

Brent council continues to spend over £300 million a year. The borough spends more on social service day nurses than any other outer London borough. Its rent figure is about the same as the outer London average and, believe it or not, with all its problems Brent's pupil-teacher ratio is still above the national average. That is much to the credit of Brent councillors who have had to agree the latest budget. The level of service in all areas of Brent is still superior to any comparable Tory-controlled authority.

Brent council is prepared to be honest and to face the consequences of the problems that were left to the present administration. No one can point the finger at any single party, because Brent suffered greatly when it was run by a coalition of Liberals and Conservatives. That coalition left a considerable mess and balances of £37 million were cleared out before Labour took control. I must put the positive case for Brent. As long as I am responsible for speaking for the Labour party on local government matters I am not prepared to listen to unfair criticism of any local authority, Labour or Tory. Sometimes there is fair criticism but there has been a great deal of unfair criticism about Brent. In the view of many people, Brent is now bravely seeking to put its finances in order. It is grossly unfair that this legislation will result in Brent losing £8 million of Government grant.

Mr. Graham Allen (Nottingham, North): Would my hon. Friend like to comment on the change of control of councils? He may be aware that a by-election last Thursday in Nottingham turned out the sitting Tory council, not least because of its mismanagement of Bradford and the Government's unpopularity in Nottingham. Would he like to say something about the change of control now that Nottingham has a Labour-controlled authority?

Mr. Rooker: My hon. Friend is right. In a debate in the House last week Nottingham figured almost as much as Bradford. A Conservative Member who is not present at the moment said that he knew Nottingham better than my hon. Friend the Member for Nottingham, North (Mr. Allen). I understand that a Conservative majority of 400 was turned into a Labour majority of 600. The Labour candidate, now Councillor Clark to whom we send our congratulations, polled over 2,000 votes. The Democratic party candidate polled more votes than there are amendments on today's order paper from that party. He polled 89. It is to the credit of the people of Nottingham that they listened to our debate on Monday and took on board the arguments that we advanced about the Bill and its unfair treatment of the people there. They voted accordingly. I understand that today that decision will be translated into practical effect in the council chamber.

The Minister for Local Government (Mr. John Selwyn Gummer): Would the hon. Gentleman like to comment on the by-election that took place in Hyndburn, one of the most marginal seats? In that by-election the Labour candidate was booted out by the Conservative candidate and the community charge was an important issue in the by-election. Would the hon. Gentleman speak in the same way about the people of Hyndburn, or are they backward compared to the people of Nottingham?

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): Order. I think that both sides of the Committee have had their say on this issue. Perhaps we could get back to the amendment.

Mr. Rooker: The difference is that everybody knew, because it had been made clear in the House during our debate last week, that the elections in that one ward were crucial to the control of the council. That adds greater weight to the point made by my hon. Friend the Member for Nottingham, North.

Mr. Irvine Patnick (Sheffield, Hallam): I understand that the casting vote is now in the hands of a Communist.

Mr. Rooker: Yes. He holds the distinguished flying cross, an honour he won in the battle of Britain. We live in a democracy and he was elected as a councillor. I do not see anything wrong in that. Does the hon. Gentleman see something wrong in it?

Mr. Patnick: I see no difference between that and the casting vote of the mayor of Bradford.

Mr. Rooker: At the moment, the mayor of Bradford is using two votes. I understand that each councillor in Nottingham uses one vote.

I should like to come to my final point on amendments Nos. 8 and 9. I am looking round to see if I can locate one of my hon. Friends but he does not appear to be here at the moment. Perhaps he will arrive before we conclude the debate. The revaluation of superannuation funds was raised on Second Reading and the Minister said that he would look at the matter. I do not know whether he will have anything to say about that in this debate. Amendments Nos. 8 and 9 cover police authorities, passenger transport authorities and, of course, local councils. We have some other matters to raise about superannuation funds and their effect.

I understand that some local authorities are in the process of taking decisions in good faith which affect the

[Mr. Rooker]

expenditure of block grant entitlement. I shall stick to one narrow point. Some authorities, which have undertaken interim revaluations on the superannuation funds, have taken account of reduced employers' contributions in the revised estimates. Other authorities decided not to take them into account until the position was clearer, but will have done so when closing their accounts. In the normal course of events those councils would probably not have closed their accounts for about another year.

The retrospective nature of the Secretary of State's statement of 6 July is causing difficulty. Amendments Nos. 8 and 9 rescue at least those decisions that were made prior to the Secretary of State's announcement. That is all that we are talking about here. Being dependent on the external auditors' certificate, the figures could not be open to manipulation by any of the authorities, and no authority is seeking to do that. The Government have to meet this point. I know that many of my hon. Friends who represent constituencies in the west midlands have received representations on this matter.

One of the difficulties that we are under is the nature of the Bill and the way that it is being rushed through all its stages. On a later amendment I have a point to make about a major authority which was unaware, for whatever reasons, of the effect of the Bill upon its operations until something like Thursday of last week. That is difficult to imagine, but nonetheless, that is the case, and millions of pounds are involved. I should like the Minister to look at amendments Nos. 8 and 9 in the context of those authorities where revaluations of superannuation funds have taken place. I know that in some cases there were objections from the Government earlier on. Any proposals will have losers and gainers, but there seem to be more losers than gainers in this proposal. Authorities tend to underspend against the estimates.

Mr. Gummer: I hope to help the hon. Gentleman. With the superannuation, there is a problem. Authorities could not have written back after this date a sum that would help them because a revaluation between the dates has been seen to be contrary to the law. Therefore, the amendments that he is proposing would not help authoritites in those circumstances. This was the point I was trying to discuss earlier. I agree that this is a complicated matter, but that point would not be met by these two amendments, although the hon. Gentleman is right to say that others might be.

Mr. Rooker: I take the Minister's point.

The seven west midlands district councils stand to lose some £25 million over three years if the Secretary of State fails to take account of the impact of revaluation. If the west midlands authorities are revaluing their pension funds contrary to law, then someone will have to point that out to them. They are unaware that the revaluation was contrary to the law.

Mr. Alun Michael (Cardiff, South and Penarth): I almost feel sorry for Ministers who are left to defend what they must know to be completely indefensible. If they have understood the facts and the arguments, they must surely know that the Bill contains matters that constitute a public scandal. If they were to walk out now and tell Cabinet Ministers to do their own dirty work, they would have the greatest sympathy and understanding from Labour Members.

The smokescreen for the Bill is that it will merely stop creative accounting or prevent unscrupulous councils getting around rules. That is irrelevant to the objections I have to it, because of the effect that it will have on my constituents as ratepayers of Cardiff city council and South Glamorgan county council. It is also irrelevant to the point of principle involved. Amendment No. 19, which I have tabled, is so tightly drawn as to make it impossible for any local authority that was the target of the Government's wrath to have the slightest chance of "getting away with it". The Secretary of State for Wales made a statement about the effects that the Bill will have on Welsh local authorities. When he and the Secretary of State for the Environment made their statements on 7 July, they must have known that they were not only breaking past promises, but acting illegally, and the Bill seeks simply to legitimise that illegitimate behaviour. That cannot be put too strongly.

Three quotations show how serious this is. The first comes from G. C. Thornton writing in "Legislative Drafting", the authoritative text book on this matter:

> "Retrospective laws offend against the general principle that legislation intended to regulate human conduct ought to deal with future acts and ought not to change the character of past transactions carried on upon the faith of the then existing law."

The Bill flies in the face of that principle.

5.45 pm

Lord Pearce, in a judgment in the other place in 1971, said:

> "the presumption against retrospection is not a technicality. It is a general rule of justice not dependent on forms of words. It is founded on a judicial preference, where choice is possible, for the reading which does not invalidate existing rights and obligations."

The Bill flies in the face of that principle.

The third and most telling quotation comes in the words of Professor Goodhart in the *Law Quarterly Review* of July 1950, who refers to principles that "few people would dispute":

> "The first is that the law should, as far as is reasonably possible, be certain and stable, and the second is that it ought to be general in character and not be altered in regard to particular individuals. Certainty is necessary so that men can have reasonable confidence that their plans for the future will no be subject to sudden unpredictable changes. If established rights are altered retrospectively then life becomes a double gamble because now both the past and the future become uncertain."

I should like Tory Members to mark the final part of this quotation:

> "No commercial community could hope to survive if such an element of chance were introduced into normal life."

Ministers are expecting local authorities to live with such uncertainties. The point is simple and basic—this Bill fails on both the counts set out in that quotation.

The Under-Secretary of State for the Environment, who replied to the debate last week, relied on being able to say that the local authority, in this case Cardiff, had plenty of time to get these figures in before 7 July. As I am sure that the Minister did not intend to mislead the House deliberately last week, I hope that she is now aware that what she said was inaccurate, and that she will take the opportunity today to put the record straight. I will set out the position simply and clearly, and ask the Minister or her colleague in the Welsh Office, who must be well aware that

what she said last week was inaccurate, to confirm that what I say now is the truth, the whole truth and nothing but the truth.

I am referring specifically to Cardiff city council, and some of the details are similar to the cases quoted by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), although in our case, it is the Secretary of State for Wales and the Welsh Office who have to take responsibility and must account for the decisions. This is a cast-iron case. The city council provides the Welsh Office with details of its projected, estimated and actual expenditure on forms dispatched by the Welsh Office. In February 1988, form RER89 and a covering letter were received for completion. The form was to be returned by 25 March 1988. Paragraph 7 of the covering Welsh Office letter emphasises that the details need be only

"The best estimates that can be made in the time available, as an informed approximation".

It goes on to say that the refined figures should be provided at a later stage.

When the form was being completed, the financial year to which it related had not ended; nor were final figures then available for all items of income and expenditure for the year. The hon. Member for Cardiff, North (Mr. Jones), who, like me, has served on Cardiff city council finance committee, will confirm that accounts are closed only after all relevant information has become available. In the event, the completed form RER89 was an estimate of expenditure for the year based on budget figures and incomplete data based on such figures as were available —the normal and proper way to deal with such cases.

On 16 June 1988, the final accounts for 1987-88 were laid before the finance committee of the city council and approved. These showed that, whereas the city council's expenditure had been estimated in 1987-88 to be £23,694,500, actual council expenditure had been reduced to £22,396,876. That was the result of measures adopted by the city council to achieve savings in accordance with central Government guidelines and policy, and made on the basis of published grant figures and of statements made to the House by the Secretary of State for Wales. The result was that expenditure has been reduced by £1,297,624 from the budget figure. In accordance with the information then available, additional grants of almost £2,300,000 therefore became payable.

I want the Minister to take note of the date that I am about to give. On 29 June 1988, just one week before the statement by the Secretary of State for Wales—when the intention must have been known to Ministers and officials at the Welsh Office—the authority received form RO 1987-1988 and a covering letter. With the form was another form headed "Block Grant Claim Form 1987-1988". It was stated that that was the final block grant claim form and required certification by the chief financial officer and auditor. The earlier form had not required such audit certification or signatures. The covering letter stated that the form was to be returned by 31 July 1988.

In the past, Cardiff city council has always completed the RO form on the basis of actual expenditure—which has formed the basis of the audited accounts. The Welsh Office has always calculated the grant payable on the basis of the form and the actual expenditure of the city council.

There was no consultation or advance notification prior to the statement of 7 July. There was no suggestion that the form should be returned earlier than the specified date —that is, 31 July 1988. There was no warning that the basis on which the block grant was calculated would be changed from actual to estimated expenditure. The arbitrary and fundamental alteration of the basis for payment of the council's grant caused initial disbelief and then upset and dismay among everyone concerned with local government finances.

During the financial year, many hard decisions had been taken to ensure that the council did not exceed its budget figures. The expectation and understanding, based on the law and on the Government's announcement, was that by achieving economies the council would be entitled to an increased grant. Now, for no good reason related to the council's behaviour, and without prior notice, the Government seek to change the position after the event and deny the council those moneys. The council was misled in circumstances that were unreasonable, unfair and damaging to the integrity of proper public administration. Do the Government intend to cause such

Since 7 July, there have been efforts to put matters right. Civil servants were clearly embarrassed. The local authority believed that, when Ministers realised the impropriety of their decision, matters would be put right. I believe that hon. Members of all parties thought that Ministers would draw back from their decision.

I shall summarise the scandal in words of one syllable —I realise that the word "scandal" has two syllables, but I hope that most of the other words that I use will have one. One must bear in mind the assurance that was given in the House by the Secretary of State for Wales and by the Secretary of State for the Environment that actual expenditure—not estimated expenditure—would count in the calculation of the eventual RSG payment made to the local authority. One must also bear in mind that Cardiff city council had observed every requirement made by the Secretary of State, had kept within the targets set by the Secretary of State, had provided all the information that was required by the Secretary of State and had been reassured only days before 7 July that it had until the end of July to submit the form giving details of actual expenditure.

In the light of that rectitude, will Ministers seriously press ahead with these provisions? They should also bear in mind that Cardiff city council had gone further and had succeeded in keeping its expenditure below the target set by the Secretary of State, secure in his assurance that it would thus attract the additional £2·3 million grant to which I referred earlier. The council had gone far beyond the minimum certainty that the Secretary of State might have expected.

The council closed its account by 7 July. The accounts were approved by the finance committee and the full council by the end of June. The accounts had also been sent to the district auditor before 7 July—he can attest to that quite easily. The information was also sent to the Under-Secretary of State for Wales, in his capacity as one of the local Members of Parliament. That information had reached all local Members by that date—well before the date requested by the Welsh Office. Finally, the accounts were provided to the Welsh Office by the date requested on the form.

There is no doubt about the figures on which the Government ought to base their decision about the grant to Cardiff city council. The figures were in print and in the public domain before the Secretary of State's announcement on 7 July. They were with the district auditor, who

[Mr. Alun Michael]

can verify that fact. The figures had reached the local Members of Parliament, including the Under-Secretary of State for Wales, who is not only the Minister responsible but represents Cardiff, Central and whose constituents, as ratepayers, will be affected by the Government's appalling behaviour in this regard.

There is not only no creative accounting, there is no scope or possibility of creative accounting. There is no way in which those figures could have been tampered with after the statement given by the Secretary of State. Cardiff and South Glamorgan have such cast-iron cases that it will be a public scandal if the Minister does not accept my submissions. I call on the Minister and on the Under-Secretary of State for Wales to respond by accepting either my amendment or the slightly wider one tabled by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker). I call on them to put matters straight, to put them back into the area of public rectitude and to avoid what will otherwise be a public scandal.

Mr. Malcolm Thornton (Crosby): The hon. Member for Cardiff, South and Penarth (Mr. Michael) has raised what he called a fairly narrow point. My point could be described as even narrower as it is very much a technical matter.

The Merseyside residuary body has made representations to me that there is an expenditure figure in the 1985-86 RSG fourth supplementary report consultation paper which is not correct for rate support grant purposes in respect of Merseyside county council, which, as we know, is now defunct. If my right hon. Friend the Minister for Local Government can give me an assurance, I need not detain the House any longer. Can he assure me that, notwithstanding the proposed specified date of 6 July 1988, the residuary body will be given the opportunity to present the revised grant-eligible expenditure figure of £203·219 million in lieu of £204·186 million which the district auditor now suggests is not appropriate for grant purposes? Perhaps my right hon. Friend can state whether that assurance can be given.

Mr. Gummer: I must advise my hon. Friend that when I deal with the matter in rather more detail he will see that I will not be able to give the assurance that he seeks.

Mr. Thornton: In that case, perhaps I can give some further background information which might assist the Minister in the time between now and when he replies to the debate. I shall be brief, because these are technical matters but perhaps I can give the basic facts.

The accounting year in question is 1985-86, the final year of the former Merseyside county council. Because it was the final year, it was both prudent and necessary to bring in prior year adjustments amounting to £967,000 to reflect the county's closing position. It has been accepted by the Department of the Environment and confirmed by a letter dated 14 February 1985 that prior year adjustments should not have implications on the amount of rate support grant entitlement. In completing form RS1B, which is the block grant claim form, the district auditor made amendments which effectively included an inappropriate figure as a result of prior year adjustments for total expenditure for the year, which would involve the Merseyside residuary body in the loss of £1·4 million grant for the year.

The district auditor has now confirmed in a letter dated 28 October 1988 that the effect of the submitted RS1B is not in line with the DOE letter of 14 February and has suggested that the total expenditure figure should be reconsidered.

Further, on 26 August 1988, a Department of the Environment letter inviting views by 21 September 1988 on the proposed rules included an exemplification of the figures of total expenditure which will be used to calculate the block grant. That was the first occasion on which the Merseyside residuary body became aware that

"an incorrect figure was in the possession of the Department of the Environment."

The letter was delayed beyond the response date by the postal strike, but, on receipt, an immediate response was made.

The facts concerning this narrow, technical point should persuade the Minister at least to allow the Merseyside residuary body the opportunity to present the amended figures. The figures were amended not by the former county council, nor by the residuary body, but on the advice of the district auditor, despite his original advice to include the figures in the submission. I should have thought that that in no way runs counter to the general thrust of the Bill and is a point well worth consideration.

6 pm

Mr. Matthew Taylor (Truro): The hon. Member for Cardiff, South and Penarth (Mr. Michael) said that he would sum up the issue in words of one syllable. I wondered how he would manage that and he proved conclusively that we cannot sum up this issue in words of one syllable.

The Government are aiming in the Bill to prevent the continuation or deterioration of the lottery of rate support grant. The amendments—I have tabled amendments with a similar intention—would allow us to get away from one of the most unjust and harsh lotteries that the Government have introduced by their random choice of a cut-off deadline for those authorities affected.

The Association of County Councils has heard from 37 counties on the impact of the announcement. Most of the detailed information and complaints relate to 1987-88. The replies show a general underspend on revised estimates, meaning that the expenditure rules have led to a loss of grant. The estimated losses range from the very small right up to the figure of £9·7 million, which is far from being a small figure. Only three counties closed at 6 July figures. In addition to underspending, some authorities lost expected grant as their plans to reduce outturn through the use of balances were rendered irrelevant.

Four counties showed that the rules resulted in grant gains for them, largely owing to overspends on revised estimates. However, without the announcement, two of those counties would have sought means of reducing that overspend, so the Government's intentions have not been fulfilled. The largest gain by far is £8 million to one county, due to new accounting practices in preparation for the community charge. That is not just a lottery; it is like playing bingo. It does not require any serious thought or planning; the Minister merely requires the same skill as the bingo caller.

In addition, a number of specific points were made to the ACC. The part of the 7 July announcement to which authorities most object has consistently been the

application of the rules to 1987-88. The Minister, in trying to defend what he has done, is most vulnerable on that point and should show the greatest flexibilty in responding to the points that have been made.

The 6 July deadline is quite simply unfair. There are many reasons for that, but I shall highlight just a couple. The 6 July date is close, but just prior, to the closedown date for many authorities. The Department of the Environment's deadline for outturn figures was 1 August. Therefore, even those authorities which had effectively closed down their accounts had no incentive to submit those final figures to the Department before 6 July. That can be seen in all authorities. West Somerset, the case quoted at great length by the hon. Member for Birmingham, Perry Barr (Mr. Rooker), is just one example of the many authorities that have been caught out in this way. The underspends in 1987-88 are, to a great extent, genuine and not the product of any form of creative accounting. As the Minister must be well aware, many of them affect authorities wholly or partly controlled by the Conservative party.

I shall be brief, as these points have already been made very eloquently. The solution to the problems lies in the Minister's hands. He can deal with them effectively, through the amendments before us, through alternative amendments tabled by other hon. Members, including myself, or in ways that he and his civil servants can no doubt think up; but, at present, he shows no intention of recognising the unfairness and injustice of what he is doing. He would rather see a saving to the Treasury and have his civil servants given a little bureaucratic ease in their dealings than respond to the genuine needs and pressures of the authorities affected, whether they be Brent or councils controlled by the Democrats or the Conservatives. The effect of this lottery in the Bill is unfair. He can correct it, and I hope that he will tell us now that he will do so.

Mr. Gwilym Jones (Cardiff, North): I find myself in general agreement with the concern for the consequences of the case in Cardiff, mentioned by the hon. Member for Cardiff, South and Penarth (Mr. Michael), although he used far more extreme language than I want to use. We have a good case in Cardiff and I hope that it will not be affected by such extremist positions.

I do not much care for amendment No. 1. I find amendment No. 19 far more preferable, but both amendments are superior to the position in the Bill. I accept that he who sets the rules is entitled to change them whenever necessary. However the rules are changed—either through parliamentary legislation or through the Secretary of State acting under the proper authority of regulations—some form of consistency is desirable. When my right hon. Friend the Secretary of State described the outcome of the rate support grant settlement in March 1987, he said:

"Ultimately the grant paid to a local authority in respect of the year will depend on what that authority actually spends."

He went on to say:

"I intend that the settlement for 1987/88 should give the further certainty of ensuring that each authority's grant entitlement will depend solely on its own spending decisions and not be affected by decisions taken by other authorities."

Many, if not all, of us should subscribe to that latter statement. Authorities should have the certainty of knowing that the outcome will be determined by their own spending decisions and will not be affected by the decisions of other authorities.

I am moved by the Cardiff case. That is not an example of creative accountancy. The books for Cardiff were closed well in advance of the key date, introduced this year, of 6 July 1978, but Cardiff will now receive a figure slightly different from that quoted by the hon. Member for Cardiff, South and Penarth. The council's director of administrative and legal services advises me that Cardiff stands to lose £2,127,000. However, whether we take the figure quoted by the hon. Gentleman or that quoted by the city council, it is no small sum for any district council and certainly not for the capital city of Wales.

Cardiff comes to be in that position because of an estimate form requested by the Welsh Office to be submitted by 25 March. That was not the formal return, giving accurate final figures, which was requested later, but an estimate that was requested before the end of the financial year. That was clearly an estimate and could only have been an estimate. Indeed, the covering letter asking for the form to be returned by 25 March advised councils to opt for speed rather than accuracy if a choice had to be made.

What opportunity does such an estimate give for creative accounting? There is no requirement to give hard figures. The authority can put down any figures that it chooses and even manipulate its own case depending on its view of the situation. As it is only an estimate, it can entail no responsibility on the part of the council. Certainly, it cannot be a proper basis to enshrine in legislation for the determination of grant for 1987-88. I have the greatest apprehension that this legislation cannot be the end of the matter, that there must be a distinct possibility of legal action and that we may find ourselves attempting to legislate again in the light of a court decision.

I very much doubt whether I shall be able to support the Government on this. I will listen closely to the debate, but I feel strongly about the way in which Cardiff is treated by the proposed legislation. As the hon. Member for Cardiff, South and Penarth pointed out, the accounts were closed before the new final date. The figures were properly submitted to my hon. Friend the Minister with responsibility for local government in Wales and I seek the important assurance today that those accounts, rather than any estimates, will be accepted as the final and crucial figures.

Mr. Ian McCartney (Makerfield): I apologise to the Minister and to my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) for missing their initial comments on the amendments as I was at a meeting to discuss Lords amendments to the Housing Bill, which will come before the House later this week. As a former member of Wigan metropolitan borough council, I served on both the finance committee and the policy and resources committee. Later I was also a member of the Greater Manchester fire and civil defence authority which I represent in the House on an honorary basis.

On Second Reading, I listened with growing incredulity to the Minister's responses and to the excuses given for the promotion of this legislation. When I returned to my constituency at the weekend, my incredulity turned to anger as a result of a meeting with elected members of the authority and its financial officer to determine the effects of the Government's proposals both on Wigan metropolitan

[Mr. Ian McCartney]

council and on the Greater Manchester fire and civil defence authority. Wigan metropolitan borough council stands to lose £1·29 million in grant entitlement—a loss of a further £600,000 on the calculations given to it following discussions with the Department of the Environment after the Government's announcement of 7 July. Wigan council is particularly disappointed because many of the measures suggested for the reduction of expenditure last year and this year were not merely identified but actually met. Reductions were shown under many heads—housing, social services, leisure and education—but despite that, the Minister's statement will mean a major loss in terms in grant entitlement.

In reviewing this and next year's budgets, the authority did not act only in a political way. Joint meetings were held between the policy and resources committee and the management team to identify heads of expenditure under which improvements could be made without disrupting the level of services provided so as to meet the Government's requirements. That was done to the satisfaction not just of the local authority but of the Secretary of State. Indeed, the Under-Secretary of State has many times cited Wigan council at Question Time as an example of value for money in services, especially in relation to housing.

6.15 pm

Earlier this year, the Under-Secretary of State, the hon. Member for Southampton, Itchen (Mr. Chope), met a deputation from the authority led by myself and my hon. Friends the Members for Wigan (Mr. Stott) and for Leigh (Mr. Cunliffe). At that meeting, we identified a miscalculation by the Government of about £1 million in the authority's grant last year. It was also agreed that, to determine whether the grant provided was fair, officers from the Department should sit down with officers from the authority to consider the budget for the current financial year. Despite all that close scrutiny and involvement by the Department, no indication was given between the 7 July announcement and the 31 October statement that the authority would face such a major reduction in grant entitlement. The Minister cannot have it both ways. He cannot suggest that the aim of the Bill is to deal with the wide boys in local authorities when councils such as Wigan have sat down with officers from the Department to consider value for money in services provided but still face substantial losses in this and future years.

The authority has a difficult task ahead in trying to balance its budget. I hope that the Minister will tell me and my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) what advice he has for local authorities which have consistently followed statements made in the House and advice given by civil servants as well as advice given to regional authorities in discussions about both capital and revenue programmes but still find themselves with a major shortfall because the Government have decided to change the rules, not just part way through the year but almost at the end of the year. The Minister owes it to the ratepayers of Wigan, Cardiff and other authorities to make the position clear in relation to the level of services provided and the nature of the expenditure identified by those authorities as necessary for the continuation of those services without major disruption.

This measure has also greatly affected my authority's ability to deal with the capital cost this year and next year of introducing the poll tax arrangements. The Government's decision has merely rubbed salt in the wound, further reducing the grant available without reducing by a penny the imposed cost of introducing poll tax. Having considered the Government's proposals with officers from the Department, the authority identified its needs in terms of both capital and revenue in 1989 and 1990 for the introduction of poll tax. The Government have committed my authority to substantial capital allocations with revenue consequences.

As a result of the present proposals, the authority will have to rearrange its budget not just to meet current levels of services but in such a way as not to dislocate the intoduction of poll tax in terms of capital outlay, facilities provided and estimated revenue costs. Will the Minister assure the House that revenue implications for local authorities' capital expenditure—not capital allocations—will be included both in this year's estimates and in the rate support grant estimates for 1990-91? Without such an assurance, local authorities such as mine will face a shortfall of more than £1 million.

During the Second Reading debate last week, my hon. Friend the Member for Perry Barr highlighted the effects of the Bill on police authorities. However, there was little discussion of the fire and civil defence authorities in metropolitan areas. Like the police, they have been rate-capped, yet they are responsible for the services they provide to both the Department of the Environment and the Home Office. There is little manoeuvrability in either the budget or the level of services. The Home Office and the inspectorate set down the number of stations, the manning levels, the training levels, the purchase of equipment and what campaigns can be undertaken. All that is, quite rightly, tightly regulated because of the work done by the fire services. Whether in Greater Manchester, Cornwall, Essex, Sussex or Scotland—which I have occasionally visited—the fire services are professional and have minimum standards.

Despite assurances about the level of services given to the Home Office for this year and next, the calculated loss of grant for the Greater Manchester fire authority is £1·9 million. Before the Minister's arrangements of 7 July and his statement of 31 August, that authority expected to receive an additional £900,000 in block grant because of the steps taken to reduce its administrative costs and the level of precept levied. At the same time, the authority has maintained the level of services within the professional standards set by the Home Office. The Government's decision means a major loss of grant to that authority, and I understand that the same applies to Merseyside, west Yorkshire and South Yorkshire.

In view of the financial loss to the nation in major fires, it makes no economic sense to make large cuts in fire authority budgets simply because of the Government's accounting procedure. There will be no reduction in the number of fires or the hours that the men need to work. However, because of the loss of grant, the services will have to be provided on an increasingly reduced income base. One major fire in an industrial establishment in Greater Manchester, Merseyside or South Yorkshire can cost the nation £3 million, £4 million or £5 million. Surely even the Government understand the necessity for a

professional fire service that is cost-effective in the real sense—not in the balance sheet at the Department of the Environment.

Mr. Patnick: On 31 October the hon. Member for Birmingham, Perry Barr (Mr. Rooker) said that South Yorkshire would lose £750,000. I wish to quote *The Star* —and, as I have said before, if something does not appear in *The Star*, it has not yet happened. On 3 November it stated:

"The average family in South Yorkshire pays just 61p a week for their police and fire services. For 38p, they get 2,912 uniformed police officers, backed up with 507 vehicles, while the 23p a week for the fire service gives them 1,077 full-time and 132 part-time firemen, 77 fire engines and other assorted rescue vehicles and tenders."

There does not appear to be any shortage of cash or manpower in South Yorkshire.

Mr. McCartney: That is because of the commitment given by the elected representatives of both South Yorkshire and Greater Manchester fire authorities which, despite the Government's rate-capping, through brilliant management and administration have maintained the level of fire services set down by HMI and the Home Office. I remind the hon. Gentleman that those services were under threat last year. A joint delegation from the fire and civil defence authorities, involving Conservative, Labour and Liberal Members and local authority representatives, came to see the Minister to sort out the discrepancy between the rate support grant arrangements made by the Department of the Environment and the maximum expenditure limits set by the Home Office, which were not compatible. The fire and civil defence authorities quite rightly took safety and professional standards to be the key words and worked to the maximum expenditure limits set by the Home Office and not the RSG limits set by the Department of the Environment. Had they not done so, there would have been major reductions in the number of fire fighters and in the level of services provided.

I remind the hon. Member for Sheffield, Hallam (Mr. Patnick) that both this year and last year the fire services in London have operated without a single penny of grant from the Department of the Environment. It is the only major capital city in the world whose fire service is being funded out of the pockets of its residents. I hope that Londoners will remember that at the appropriate time.

It is not just the Opposition who feel that these proposals are unsatisfactory. I wish to read a short extract from the most recent report of the Greater Manchester fire and civil defence authority's financial adviser. It is not a political appointment; he works on behalf of the precept payers to ensure that the authority remains within its capital and revenue budgets. He also advises the authority on the relationship between the Department of the Environment and the Home Office in the calculation of grant. That independent, non-political officer reported:

"If the Block Grant rules had not been changed then this Authority would have received some additional £0·900 million in Block Grant. It has been demonstrated to the Home Office, through the A.M.A., that the high rate of marginal grant loss has been considerably disadvantageous to this Authority and its Precept payers. In effect the 'goalposts' have been moved once more and the benefits of good housekeeping have been diminished. Additionally, there seems to be nothing now that the Authority can do to improve its 1988/89 entitlement."

Since that report, the Minister's announcement has meant not only the loss of that grant but a calculation that leaves the authority £1·9 million short. Surely it was not the Government's intention to introduce legislation that would financially cripple such an important service, especially as the level of services provided by each authority is set down in co-operation with the Home Office and HMI. The Greater Manchester fire authority did not take a political decision, and neither did West Yorkshire or South Yorkshire. It was an agreement set down under HMI standards.

I have served in Committee with the Minister, whom I found to be a reasonable man. He had the reputation of someone who went to the Ministry of Agriculture, Fisheries and Food not so much as a green politician but as someone who was to do the Prime Minister's bidding. His period in the Ministry of Agriculture, Fisheries and Food caused him to change his mind. He became greener the longer he served in the House.

6.30 pm

I hoped that the same would apply to this legislation. I am not sure whether the Minister wanted the job, but he was certainly given it following the previous Minister's mauling over the Housing Bill. I hoped that he would learn as quickly in his present job as he had to do at the Ministry of Agriculture, Fisheries and Food. Metropolitan or non-metropolitan authorities and fire authorities, whose budgets are already determined by the Home Office, try to provide value for money on a 12-month budget and, at the same time, look ahead to the next year. They consider the number and level of services provided and the way in which they are delivered. It makes no economic or social sense, part of the way through the year, despite negotiations with his Ministry, as the professional report indicates, for the Minister to move the goalposts. That is done to the detriment of rate and precept payers, without a single penny being added to the level or nature of services.

I hope that, even at this late stage, the Minister will see some sense and support the amendment, and stop the madness of continually treating local government as though it were a political football. People in the provinces are desperately trying to provide a level of service to maintain simple, decent standards of education, housing or fire facilities. They constantly bear a yoke imposed by the Minister and his predecessors. The Government are continually changing the rules and pinching substantial sums of money from ratepayers' pockets. At the end of the financial year, when local authorities set their next precepts, the Government blame local authorities for increases in rates and precepts. In the past six years we could have had reductions in precepts while maintaining services if the Government had maintained the level of grant that previous Governments provided.

As we have seen throughout the country, there has not only been a deliberate attempt by the Government to try to cripple the finances of local authorities but a devious attempt to blame local authorities for a deduction in services and opportunities that they provide for ratepayers. It is time for the Minister to come clean, get rid of this simple little Bill, and accept the amendment. If he does not accept the amendment, through no fault of their own, local authorities will be in financial chaos. By acting on the misinformation that was deliberately released during the summer by the Secretary of State and by civil servants in the Department of the Environment, this

[Mr. McCartney]

autumn, local authorities may find themselves with substantial reductions in grants that will directly affect the services that they provide to ratepayers.

Mr. Michael Lord (Suffolk, Central): I shall not speak for too long, because, although the relevant amounts of money vary, most hon. Members will speak about much the same issue. My right hon. Friend the Minister of State also represents a Suffolk constituency, so he will know about the things that I shall speak about concerning Suffolk county council. I have already quizzed him on some matters. I shall speak briefly about the Severn-Trent water authority *v.* Cakebread case. It is not strictly relevant to the debate, but it will have a major impact on the finances of Suffolk county council over the year ahead.

Mr. Gummer: As an amendment relating to Cakebread is to be discussed, perhaps it would be better for my hon. Friend to deal with it then.

Mr. Lord: I was about to say a few words about choosing the date of 7 July. I shall refer to the Cakebread issue at the appropriate time.

As we know, the date of 7 July was chosen in an arbitrary way. I am not quite clear why that date was chosen or why local authorities were given such a short time in which to respond. For Suffolk county council, the cost will be £2·5 million. For a county council that is fairly prudent in its financial dealings, that penalty is rather harsh.

I want to talk about Cakebread because I wish to draw the Committee's attention to the effect of retrospective legislation when it could be helpful and when it could be harmful to Suffolk county council.

For Suffolk county council, the total amount involved in the two issues—the Cakebread point which involves £1·9 million and the £2·5 million involved in choosing the date of 7 July—is £4·4 million. That will have a serious effect on the ratepayers. I know that my right hon. Friend is fair in such matters. Does he consider that this measure is fair and honest? Even at this late stage, will he give the matter further consideration?

Mr. Paul Boateng (Brent, South): I join my hon. Friend the Member for Makerfield (Mr. McCartney) in apologising to the Minister of State and to my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) for having missed their speeches. I particularly regret missing the contribution of my hon. Friend the Member for Perry Barr, with its stout defence of my local authority, Brent, which will be much appreciated.

I hope that, when the Minister replies, he will not be tempted to regard hon. Members' contributions as yet another basket of special pleadings. The matter involves much more than that. It goes to the heart of a provision in a Bill that is fundamentally unjust in its impact on local authorities and their budget-making processes. The Bill does not take into account the real difficulties that many local authorities of all political persuations are experiencing, not only in balancing their books, but in maintaining an adequate standard of service right across the board for local ratepayers and residents.

Therefore, the Bill should not be seen by the Minister in a narrow party way—as a way, yet again, of screwing local authorities. He should recognise it for what it is. I make a heartfelt plea to him to think again about the impact of the Bill on the hard-pressed ratepayers about whom the Government purport to be concerned. Hard-pressed ratepayers and residents will have to pay the price of the Bill if the amendment is not carried.

Sometimes there is a tendency to suggest that my local authority is faced with a problem that is entirely of our own making, and that the current crisis in the provision of services—a crisis that all too often hits those who are least able to defend and take care of themselves, those who are unemployed, those who are disabled, those who are elderly, those who, for one reason or another, are particularly dependent on local authority provision, just as much as it hits those who simply require the ordinary services such as refuse collection and the like that a local authority should provide for its residents—is entirely of the making of the Labour administration. That is simply not the case. When we ask the Minister to think again, it is against a backcloth of responsibility arising from decisions made by Conservative-Liberal administrations as well as by Labour administrations.

The problems faced by the current administration in my borough, like so many problems faced in our country today, can be traced back to 1979 when the present Government were elected. Since that time rate support grant in Brent has been reduced from some 65 per cent. of net borough requirements to 38 per cent. If the Government had continued to fund Brent at 1979 levels, the council would be receiving an additional £52 million in the current financial year.

The picture has been made that much more dire by decisions that cannot be attributed to the present Labour administration. The problem today would have been more manageable, although there would still have been a problem, had it not been for the irresponsible behaviour of the Tory-Liberal administration between 1983 and 1986. We then saw some £39 million of accumulated balances squandered to depress the rates artificially, particularly in election year. Massive problems were built up for the future. We have become accustomed in the House to seeing the national family silver squandered unacceptably, but in Brent we became accustomed to seeing the municipal silver disposed of in the same way, by the Conservative party.

I want to give the figures, because what we are discussing can ultimately be broken down into figures. In 1986—which just happened to be an election year—the Conservative administration constructed a budget that assumed rate support grant of some £45,320,300, more than £7 million of it from the GLC to pay for the levies of successor bodies and interest of some £1·5 million on balances that no longer existed, having been squandered. When the Department of the Environment came to make its own calculations, when the mysteries were worked out and the entrails pored over—for presumably that is what goes on in Marsham street, being about as scientific an approach as can be managed—the rate support grant actually paid proved to be some £38,580,200, with some £3,352,200 from the GLC. The projected interest on balances was a debit figure, because the Conservative party left the council without any balances

Coming into power in 1986, the Labour administration had to face a budget with a built-in deficit in excess of £14 million. The problem is graphically illustrated by the council's total revenue expenditure in 1986-87, the first year of Labour control. People can hardly be blamed for

swallowing the myth of the high-spending, profligate Labour council. In the South Yorkshire *Star*, mentioned by a Conservative Member, if something does not appear it has not happened; in some papers that my authority has to put up with, if something appears we can be sure that it has not happened.

Mr. McCartney: They quoted the Chancellor today.

6.45 pm

Mr. Boateng: Such are the depths to which certain papers will sink to build up a political bogey-person and act accordingly.

That myth of the high-spending Labour council is not borne out by the figures. The council spent £189,921,084. That was just £3,042,924 more than the Tory budget—an increase of 1·6 per cent., less than the the rate of inflation. There is your profligate, high-spending Labour council.

Since then the Government in their wisdom—again, presumably consulting the entrails—have continued to reduce their contribution to the council's budget, which has compounded the problem. We hear a great deal from Conservatives about creative accountancy, and of course we must be wary of it: no one pretends that it is to be entered into lightly or welcomed with open arms. We must, however, face the fact that the creative accountancy that we in Brent are now having to handle was introduced by the Tory-Liberal administration in 1987, and the exigencies of fortune have required a successor Labour authority to continue with it.

That is the truth. It is not some pie-in-the-sky figment of a rabid Left-wing imagination. The facts can be discovered by looking at the books, and I invite the Department to do just that. I ask the Minister to consult his advisers and to find out whether he can reasonably dispute any figure given in this debate by me or my hon. Friend the Member for Perry Barr. Those are the figures on which the Department is basing its assumptions about Brent's spending.

The background is made still worse by changes in Government regulations, often made at a moment's notice. I still hope that there is a glimmer, a sliver of a chance that the Department may yet think again about this charge, because of the weight of representations received from local authorities, again of all political persuasions. The Minister will know only too well the impact on authorities of the announcement of the change in the method of subsidy for homeless families. That cost my authority a little under £4 million at a stroke—at a grimace from the Secretary of State. Many of us remember the afternoon, and the spirit in which, it was announced. I am afraid that the spirit was much closer to vindictiveness and glee than to any genuine concern about the impact of the decisions on homeless families.

We hope that the Secretary of State will reconsider, but the local authority has already had to respond to the circumstances. It has made some difficult decisions that have been painful for my constituents, and very painful for disabled people like those whom I met only a few days ago at the Stonebridge training centre. Trainees there, many of them suffering from Down's syndrome, are able to make a small contribution to the working economy by putting together packets of cosmetics which are then used in hotels. They gain considerable satisfaction from so doing. Above all, they gain a sense of their own worth and value by being paid £4 a week, the meagre amount that they are allowed without falling foul of the social security benefit system. As a result of the last round of cuts forced on my local authority by this Government, that £4 was removed. What does one say to those people? There are so many of them.

People find that their local library, such as the one in Kensal rise, is to be shut. They are forced to fall back on the generosity, which one hopes will be forthcoming, of All Souls which has a traditional and long-standing relationship with that library. All Souls bequeathed it in the first place and it was opened by Mark Twain. People are forced to fall back on that sort of private charity to keep the library open because the local authority, subject to current restraints, cannot do so. So it goes on and on. The number of teachers in schools throughout my constituency has been reduced. Social service night duty has been cut, so now there is no official night duty service. One can imagine the impact of that on some of the most deprived and at-risk families and children.

That is just a sample for the Minister. I urge him to ensure that those we advise him examine what the impact will be on the ground. What else do they want us to cut? Have we yet reached the stage when the DOE can come and say, "Cut this, cut that, cut the other," so that at least it can take the blame for the decisions which local authorities are being forced to make?

One of the great evils of the rate support grant system is the way in which the blame is transferred to local councillors and the Government walk away from the problems and turn their back on the people. That is unacceptable, whether in a Labour, Liberal or Democrat —whatever the party is called now—Conservative or hung local authority.

If the Bill is not amended as my hon. Friend the Member for Perry Barr suggests, its impact on my local authority will be a retrospective clawback of £8·8 million. There is no way that that money can be clawed back without either a rate rise of about 8 per cent. over and above any increase already agreed in the budget-making process—it was hoped to keep increases to a bare minimum—or a further round of cuts. In my constituency neither the voluntary organisations nor the residents and ratepayers find the burden of another round of cuts acceptable. The existing round has already had an unacceptable impact on them and the quality of their lives.

I cannot stand by and watch the Government force the local authority to make cuts in order to obey the law. I do not see how the imposition of an additional rate burden of 8 per cent. on my constituents as a result of the machinations at Marsham street can be justified. Why should already hard-pressed people suffer, as a result of this legislation, which is designed ostensibly to reduce the burden of rates on them, a further increase and burden?

I ask the Minister to think again and to be prepared to come with his civil servants to meet my local authority and me to explain how it will be possible to manage the local authority budget within the constraints that the Bill will impose. I ask him to think again and to respond positively to the pleas from both sides of the Committee for the amendment.

Mr. Gummer: We have had a useful debate on this good set of amendments. They put before the House the various possibilities before the Government in trying to arrange for the transitional period from our present system to a future one. The hon. Member for Birmingham, Perry Barr

[Mr. Gummer]

(Mr. Rooker) rightly said that we do not want to go over the debates that we had earlier, but he made one point which I should like to discuss with him and which we should put right on the record.

Some time ago, I came to these discussions to try to find the best way to face this issue. Although I inherited the debate and the announcement——

Mr. Rooker: It is somebody else's fault.

Mr. Gummer: I am merely saying that I inherited this matter, so naturally I looked at it with care. Therefore, what I have to say is the fruit of trying with an open mind to see what it is best to do.

Naturally, there are many attractions in having the other dates which have been suggested and I shall deal with each case on the basis that it will probably cover a reasonable cross-section of local authorities. Common to all the cases is the fact that they are the cases of local authorities for which another date would have been preferable. They are not cases of local authorities which would suffer by having another date. *[Interruption.]* I am trying to approach the hon. Gentleman's point with considerable care. I took what he said seriously and I hope that he will do the same with my comments.

Whatever the date, the authorities that wish us to choose another date are always those which are discommoded by the date. One does not hear of the authorities which benefit from the date and would be discommoded by another date.

Mr. Michael: Will the Minister give way?

Mr. Gummer: No. When I come to deal with Cardiff, the hon. Gentleman will undoubtedly want to question me closely. I do not want to run away from any of the specific points which he raised.

In our original debate, I recognised that, whatever we did, some local authorities would be put out by the date that we chose. I also said that they would not necessarily be controlled by Opposition parties. The hon. Member for Brent, South (Mr. Boateng) asked that we should not consider this in a narrow party way, and I wish to make it clear that there is no question of this date being harder on authorities of one political persuasion than another. That is not the case, and I hope that he will take that from me. However one chooses these dates, it is not a question of picking out one particular party for benefit, so I have to look at the individual cases.

I understand the West Somerset case. The hon. Member for Perry Barr is right in the sense that West Somerset is likely to lose by this date compared with what it might have lost if another date had been chosen. It is true for any date that some will lose and some will gain. The question then is, who should be blamed for it. If there were no possibility of creative accounting and if we could reach agreements with all authorities on a fair basis, we could undoubtedly be more flexible.

I fear that it is not the Government that West Somerset must blame. Over the years, several authorities have behaved in ways which were inconceivable in the past. They have taken it on themselves to determine what the national figure for spending should be by seeking to take from the pool more than they should under the rules or any sensible sense or spirit of the rules. If West Somerset asks who should be blamed, I would reply, "Authorities that have used methods of calculation of their grant requirement and expectation that decent authorities would not have used." I do not include all authorities in that, and I certainly do not say that of Cardiff.

7 pm

The hon. Members for Perry Barr and for Brent, South mentioned Brent council, which is an important case that I should consider carefully. The first suggestion is that, if we had chosen another date, Brent would have done better than it has. The second suggestion that has been carried all the way through is that we should be careful about Brent because, although it has been badly reported in the newspapers, it has done its best and we are being unfair.

I wish to consider Brent as fairly as possible. I have listened to the hon. Members' figures, but the House should be aware that those figures were available to the hon. Member for Brent, East (Mr. Livingstone). Having examined those figures, he said that Brent council—controlled by the Labour party—reminded him of the Pol Pot regime in Cambodia. It is at least open to the House to take a different view of the way in which Brent council has handled its affairs from the one put forward by the hon. Member for Brent, South. Two Labour Members in adjacent constituencies represent the council, first, as a paragon of virtue and, secondly, as probably the worst council that ever existed. We start with a pretty even-minded view from the Labour party, and I shall try to be as moderate as I can in my response.

Mr. Boateng: To call my local authority a paragon of virtue would be somewhat over-egging the pudding, but when has the Minister ever taken seriously a word said by my hon. Friend the Member for Brent, East (Mr. Livingstone)? For him now to rely on something said by my hon. Friend to a newspaper as an indictment of my local authority, and a reason for him not to treat it sympathetically, is trying it on a bit.

Mr. Gummer: I thought that I had introduced the point in the most moderate way possible. I merely suggested that there was disagreement—I put it no stronger than that—between two members of the same political party about the character of the local authority that they represent. I have tried to look for the facts.

Of course I take seriously the views of the hon. Member for Brent, East. That is why I spent much time opposing them in London. His views were so serious as to be worth considerable opposition. In those days, the hon. Member for Brent, South was a great supporter of his hon. Friend and commended his views to us. He fought—not in this place, but elsewhere—for the retention of the body of which the hon. Member for Brent, East was leader so that those views could be imposed not just on Brent but on all of Greater London.

Mr. Boateng: I commended my hon. Friend the Member for Brent, East when he was leader of the Greater London council, and was glad to serve under him. I commended him as an expert on the affairs of London, not as a political commentator on nasty regimes in south-east Asia. As a commentator on political regimes in south-east Asia, seeking to draw analogies between them and local authorities in London, my hon. Friend is not necessarily a man on whom the Minister can rely to bolster his very weak argument.

Mr. Gummer: The hon. Member for Brent, East was not comparing the Pol Pot regime with the local council in Brent. He was comparing the local council in Brent with the Pol Pot regime.

Mr. Rooker: We asked the Minister to consider the figures for Brent, not what I or my hon. Friend may have said. The Minister is making great play of this point. The leaders of Brent council made a substantial, detailed, four-page reply to my hon. Friend the Member for Brent, East (Mr. Livingstone). It would be in no one's interest for me to place it on the record, but its response to the comparison with the Pol Pot regime was that it was "dishonest, opportunistic and mendacious". Will the Minister explain why Brent, having taken the courageous decision to balance the budget and make cuts, will suffer a further cut of £8 million?

Mr. Gummer: As there seemed to be a disagreement about this in Brent, I was trying to establish that we should examine the figures carefully, and that is what I shall do.

The first fact is that the rate in Brent is the second highest in outer London. In 1988-89, its reported figure of total expenditure is 11·5 per cent. above the needs assessment, not taking into account the spending financed by creative accounting. We have always said that we should consider not only the amounts of money that people lose, but the amounts of money that others gain. Although it is true that, if we had chosen another date, Brent might have been about £8 million better off than it appears to be under this arrangement, Opposition Members have not mentioned the fact that, as a result of the forthcoming supplementary reports, Brent will gain an extra £9·4 million. We must set that gain against any reduction. The hon. Member for Brent, South must accept that those two facts should be considered together and that the rate increases that he feared will probably be unnecessary.

I am trying to examine the matter as fairly as I can, but it is difficult to take Brent's claim seriously. The hon. Members for Brent, South and for Perry Barr explained the problems. London authorities do not have the easiest of wickets, but the truth is that the figures that we should have received on 29 February were still outstanding on 12 May, although some figures were given on the telephone. On 17 May, Brent promised to send the form by the Whitsun weekend. On 7 June, having been telephoned again, the council said that it hoped to send the form by Friday 17 June. On 20 June, the council said that it was having difficulty finalising the figures, but it telephoned back to give another figure. On 21 June, we wrote confirming one figure and asked for the form to be returned as soon as possible.

We cannot deal with an authority that does not appear to be able to do what every other authority—bar one—has done. I do not wish to repeat stories from newspapers, and I have been careful not to do so, but it is extremely difficult to deal with an authority that appears not even to know who are its council tenants and who are not, and which admits that it is beyond its power to find out, except on a sample survey basis. The hon. Member for Brent, South mentioned cuts, but any independent observer of Brent —I leave aside him and the hon. Member for Brent, East —would say that the cuts were introduced in so incompetent, extreme and haphazard a manner as to cause as much damage as possible, although the council could have done many other things.

I shall give hon. Members an example. At the same time as cutting the number of teachers in schools, Brent is recruiting teachers in Ireland. How can one deal with an authority which deals with its own electorate in that way? The hon. Gentleman said—I wrote this phrase down because I wanted to quote it—that we should be concerned with the unemployed, the elderly and those who are particularly dependent upon the local authority. I believe that we should be. However, given that, roughly speaking, Brent is about £1 million better off under the arrangements so far announced, the hon. Gentleman would do better if —perhaps in a less unattractive way than his next-door neighbour—he brought home to Brent the fact that the real answer would be for Brent not to complain about this and about the extra gains from the supplementary report, but to get its act together and run the system properly.

It does not matter what happened in the past, and the hon. Gentleman did not mention the period in which the present authority was run by an apparently more extreme group. If Brent does not do this, there will be statements in the newspapers daily—which it does not appear to be able to deny—which show that there are apparently people in Nigeria who can buy the keys to council properties in Brent.

Brent cannot honestly be used as an example of the sort of authority for which the whole system must be rewritten. I believe that it is the sort of authority that has to get its house in order. When it does so, no doubt we can take more seriously the views of the hon. Member for Brent, South and forget the comparison with the Pol Pot regime, which I agree with him was rather overstated. I am sure that anyone who has any real acquaintance with the Pol Pot regime would not suggest that there is any comparison, because the local authority in Brent has not gone out to kill people. However, it has failed to carry out its obligations as an authority and it would be better for the hon. Gentleman to consider those points.

Having dealt with Brent, where I do not believe there is a case, I must deal with a much more difficult case. I say to the hon. Member for Cardiff, South and Penarth (Mr. Michael) that I do not know of any date on which there would not be a case such as that of Cardiff, South and Penarth. I say that, too, to my hon. Friend the Member for Cardiff, North (Mr. Jones). Wherever there is a stocktaking line, there will be at least one or perhaps more authorities which will say to us, "Look, we are especially hard it, because we have done everything that you wanted us to do except that we have not quite met the obligations that you have made, so can we change it slightly?"

That is the problem of all the other amendments put forward by the hon. Member for Perry Barr. Each one of those amendments suggests that, for apparently good reasons, the goal posts should be moved slightly, but each one of them provides us with what I would call a Cardiff, South and Penarth situation, because there will always be one or more which will appear to fall just outside the line that is drawn. Therefore, I must justify to the hon. Member for Cardiff, South and Penarth why this line seems to be a better one than others, and then I shall explain to him why I do not believe one can take a particular view of his authority.

Using this line, we know exactly where we are from that point. No authority claims that we have interpreted our

[Mr. Gummer]

own rules in a way which produces the wrong figure. We know exactly where we are. It enables local authorities to make their plans for the future much more effectively, and it makes that transit possible. The hon. Member for Ashfield (Mr. Haynes) may yawn, but I am trying to answer the specific cases—which I am sure he would have heard if he had been here—of the hon. Member for Cardiff, South and Penarth, who has made an important point, which I hope I am dealing with as carefully as possible.

7.15 pm

The problem is that any other date would raise all kinds of arguments, which would mean that the argument of the hon. Member for Cardiff, South and Penarth and that of my hon. Friend the Member for Cardiff, North would become multiplied. I say to the hon. Gentleman that it is a date which does not serve Cardiff well. It means that, had we chosen another date, Cardiff would have been able to benefit from the cuts that it has made. However, what worries me is that almost every other authority in his area reflected such cuts in the figures that they put in.

Mr. Michael *indicated dissent.*

Mr. Gummer: The hon. Gentleman shakes his head, but I have been careful about checking this. However, if I am wrong, I shall apologise to him. As I understand it, almost all the cuts which we are talking about could have shown up at the date that the figure was sent in. The chief financial officer signed the document as being the best estimate available at the time. I find it difficult to believe that those cuts were started, continued and completed between the form being sent in and the date which he now says, if he had only put in the next form early enough, he could have reflected them. I must say that that does not appear to be likely. Therefore, although I understand that Cardiff will be unhappy about this—I am sorry that that will be so—it must be true if there is a cut-off date of any kind.

It appears to me that, if I move in the direction of the hon. Member for Cardiff, South and Penarth on this issue, that I must then talk about the contribution made by my hon. Friend the Member for Crosby (Mr. Thornton), about the Merseyside residuary body. He has already explained that the problem there is that there is an argument between the auditor and the authority. Until that argument is solved, we do not even know the basis upon which the authority would like us to choose between the two figures, both of which have been given to us—the earlier figure which it appears now to want us to take or the later figure that we have taken because we have said that we would take the later figure. That is the same kind of problem as that of the hon. Member for Cardiff, South and Penarth. I believe that there is no way round having a date, and with any date, if he were not the one who was asking me this point, I would have to answer other hon. Members who would be putting forward their points.

Mr. Michael: I hope that I can assist the Minister by providing exactly the sort of suggestion that will meet his requirements. The Minister knows full well that the Secretary of State for the Environment and the Secretary of State for Wales said in the House that the figures that would count would be those for the actual expenditure rather than those for the estimated expenditure by an authority. As the Minister must know, he refers to a form that deals with estimated rather than actual expenditure. The Minister's reference to the so-called choice of dates clouds the simple point that I shall make once more.

The Government had already chosen their date and the Government are seeking in the Bill retrospectively to change their date without any regard to principle or reason. The Government's date was 31 July. That was set in the letter from the Welsh Office dated 29 July. That letter could have specified 6 July, but instead it specified 31 July. My only plea is that, having made a promise, the Government should stick to it and, having chosen a date on which others relied as they were meant to rely, the Government should stick to it.

Mr. Gummer: In order to support that line, the hon. Gentleman quoted two authorities, one which said that we needed to be careful about retroactive laws in order to be sure that we are certain and stable, and, secondly, as Professor Goodhart said, the law should be general and not designed for one particular person. This date has been chosen in order to be certain and stable, because if we did what the hon. Gentleman suggested, it would give people the opportunity retroactively to change what had happened in the past by creative accounting. It is not that his local authority might do so, but that many other local authorities would.

Mr. Thornton *rose*——

Mr. Gummer: I do not think that I should give way, because there are a number of debates to come and I have been speaking for some time, but I shall do so for the last time.

Mr. Thornton: My right hon. Friend has said that, on Merseyside, there is a disagreement between the district auditor and the residuary body, but that is not the case. The disagreement concerns the interpretation of the Department's figures. In a letter from the district auditor to the Merseyside residuary body dated 28 October it states clearly:

> "It would appear, therefore, that whilst the RS1B submitted to the department accurately reflects the accounts which were presented in accordance with accepted practice . . . the effect has been for the DoE to treat the prior years adjustments as having implications for block grant entitlement which is not in accordance with the DoE letter of 14 February 1985."

My simple plea is that we allow the residuary body to submit its figures in line with the Department's accustomed practice.

Mr. Gummer: There is a disagreement between the auditor and the local authority, which continues. We said, for the benefit of all local authorities, that we would take the last figure given to us and that we would not argue that we should take the smallest or the largest one. We said that we would take the last one, as we said that that would be the one most likely to be of help to a local authority.

Mr. Gwilym Jones *rose*——

Mr. Gummer: No, I will not give way. [HON. MEMBERS: "Give way."] I have already said that I will not give way.

I believe that the hon. Member for Truro (Mr. Taylor) should look at the figures in the round because quite a few of them will show that his comments have been unfair.

The hon. Member for Makerfield (Mr. McCartney) put the case for Wigan, which is likely to lose £48,000 on closedown. The hon. Gentleman did not mention, however, that, on the total supplementary report, Wigan is likely to gain £725,000, which is important. When the hon. Gentleman makes his case about the sadness and difficulties of Wigan he must take the figures in the round. In that way it is clear that Wigan will gain substantially and lose marginally.

The hon. Gentleman also mentioned the Greater Manchester fire and civil defence authority and said that it would lose money. I believe that he got the million in the wrong place, but I accept that, if that authority had given the best answer that it could, it is likely that it might have got an additional £900,000. If one considers the forthcoming supplementary report, however, one sees that the Greater Manchester fire and civil defence authority is set to gain £1·6 million. Therefore, far from being a net loser, that authority is a net gainer.

Mr. McCartney *rose*——

Mr. Gummer: I refused to give way to one of my hon. Friends, so I must refuse to give way to the hon. Gentleman.

Mr. McCartney: On a point of order, Mr. Walker. Is it not the tradition of this House that, if a Minister names an hon. Member, that Member is then given the opportunity to respond?

The Chairman: It is entirely a matter for the Minister whether he gives way or not.

Mr. Gummer: There will be other occasions tonight on which what the hon. Member for Makerfield has said can be raised again. I hope that the hon. Gentleman will accept that I have given way most generously, and that I must press on.

I accept that there is a problem about Suffolk, which will lose money because of the proposed date. My hon. Friend the Member for Suffolk, Central (Mr. Lord) should consider that, if any of the other suggested dates were chosen, other authorities would lose and would argue that another date should be chosen—I accept that what happens to other authorities may not be as embarrassing to him and me.

In future, it is unlikely that, overall, there will be any gain for the Treasury. It is much more likely that, in terms of total grant, the local authorities will benefit year to year in a way that will gain the approval of my hon. Friend the Member for Suffolk, Central. I realise that Suffolk has a particular difficulty, but I cannot see how I can do something for Suffolk without producing something for other authorities which are just outside its area.

I do not believe that any of the amendments tabled by the Opposition will help us out of the problems that are bound to arise when one moves from one system to another. There is a need for a stocktaking date, and I believe that the proposed one is fair and absolutely clear. It means that we can start the new system in a certain manner so that people know where they are. I do not believe that any alternative date or method would achieve that end. For the benefit of all local authorities, I believe that it would be better to stick to the proposed date than to go with any other more complicated system that would only produce further difficulties.

Mr. William O'Brien (Normanton): The Minister has done nothing to explain why the Government have chosen a particular date or why they should penalise local government through the rate support grant allocations.

It has been made abundantly clear that the Minister is not aware of what is taking place or what has been said in the debate. Even the hon. Member for Crosby (Mr. Thornton) had to remind the right hon. Gentleman that his response was misleading and that the issue that the hon. Gentleman had put to his right hon. Friend had not been addressed in his reply. At no time has the Minister said why 7 July has been chosen as the cut-off date, which the Minister has described as a fair date.

My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) gave five examples of how the Government and the Department of the Environment could consider the problems facing authorities. My hon. Friend the Member for Makerfield (Mr. McCartney) has already referred to the Greater Manchester fire and civil defence authority, on which he used to serve, which will lose nearly £1 million. During the two years in question my authority of West Yorkshire could lose £700,000 because of the cut-off date. The Minister should be aware of the problems that will face local authorities and joint committees because of his Department's action, which will stop all consideration of approved expenditure by local authorities after 7 July.

The Minister did not address any of the five suggestions put forward by my hon. Friend the Member for Perry Barr. I believe that it is unfair to bulldoze the Bill through without giving fair consideration to the issues involved in the amendments.

Reference has been made to West Somerset. The Minister said that those ratepayers should know who to blame if their rates increased because of a reduction of £133,000 in rate support grant. That is what they will suffer because of the cut-off date proposed by the Secretary of State. I hope that the ratepayers of West Somerset will realise, in common with the ratepayers of many other local authorities, that the real reason for the increase in rates lies with no other person than the Secretary of State.

A letter sent by the Secretary of State to his right hon. Friend the Member for Bridgwater (Mr. King) said:

"I do of course understand the disappointment of authorities, like West Somerset, which have spent less in 1987-88 than they had previously reported to the Department but will not now gain any extra grant as they had expected to do".

7.30 pm

Therefore, the Secretary of State admits that there is disappointment and that such local authorities are being unfairly treated. They agreed to the terms set by the Secretary of State, but now they are being told that they will not be compensated for meeting the criteria set by the Department.

We believe that the amendments will redress the imbalance that local authorities will suffer if the Bill is passed. I draw the attention of hon. Members, particularly those who have not been here thoughout the debate, to the fact that contributions from both sides of the Committee have all been critical of the Bill. I hope that Tory Members who are here for the Division will note that their colleagues are dissatisfied with the way in which the Bill is being applied to local authorities. I hope that all hon. Members will support the amendment.

Question put, That the amendment be made:—

[Mr. William O'Brien]

The Committee divided: Ayes 174, Noes 235.

Division No. 469] **[7.31 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Janner, Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McKelvey, William
McLeish, Henry
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Frank Haynes and
Mrs. Llin Golding.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles

Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Neubert, Michael
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thornton, Malcolm
Thurnham, Peter
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Watts, John
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Wolfson, Mark

Tellers for the Noes:
Mr. David Maclean and
Mr. Tom Sackville.

Question accordingly negatived.

7.45 pm

Mr. O'Brien: I beg to move amendment No. 2, in page 1, line 20, at end insert—

'( ) Before making a calculation and notification under section 66(2) of the 1980 Act the Secretary of State shall take into account any reduction in a local authority's rateable value effective from the date on or before that which is relevant for determining the gross rateable value of the hereditaments in the authority's area under Part VI of the 1980 Act'.

The amendment requests the Secretary of State to consider the vast reductions in the rateable value of local authorities before the effective date set out in the Bill. It requires the Secretary of State to take into account reductions in rateable values when determining an authority's final grant entitlement. It will provide local authorities with financial compensation for the large refunds of rates which they have been required to make as a result of two recent rating cases, the Addis *v.* Clement House of Lords decision and the Severn-Trent water authority *v.* Cakebread Court of Appeal case.

Addis *v.* Clement turned on a decision whether a factory on the borders of the lower Swansea enterprise zone could rely on the introduction of the enterprise zone to seek a reduction in rateable value on the grounds that the favourable treatment on rates for companies within the zone depressed rateable values immediately outside the zone. That matter causes concern wherever an enterprise zone operates. On that occasion the House of Lords found that ratepayers could obtain changes in rateable values to reflect changes in market conditions. That decision was contrary to the traditional view and it caused problems.

The case of the Severn-Trent water authority *v.* Cakebread affected the rating of individually rated water hereditaments particularly sewage treatment works. The Court of Appeal held that, because the Water Act 1973 changed the statutory definition of water hereditaments, separately rated water hereditaments should be covered by the statutory formula governing the rating of water undertakings even though the formula made allowances for them in its original state.

That decision was taken on 4 December last year and many repayments were made before 7 July, the magical date in the Bill. The Appeal Court judgment excluded hereditaments around water undertakings from rating. Apart from the changes proposed in the Bill, we can imagine what results the Appeal Court decision has had and will have on local authorities' rateable value assessments.

On 9 March, the Secretary of State announced that he intended to legislate to overturn the decisions of the House of Lords and the Court of Appeal and restore the law to its previous standing. His proposals were subsequently enacted in the Local Government Finance Bill which was before the House a few weeks ago. Local authorities were worried that the restoration of the law was effective only from 10 March. Successful appeals by ratepayers prior to 10 March, some going back to 1984-85, were allowed to stand. That resulted in some authorities having to pay large rate refunds, with a consequent reduction in rateable values. That is the backcloth to the amendment.

During the passage of the Local Government Finance Bill the Association of London Authorities supported amendments to the Secretary of State's proposals about retrospection. If accepted, those amendments would have avoided the need for authorities to make refunds. Having failed in that approach, the association sought compensation through the rate support grant system. Further representations to the Secretary of State appear to have fallen on deaf ears.

A letter from the Department of the Environment to the Association of County Councils refers in detail to the Severn-Trent water authority v. Cakebread. The letter is dated 3 October and I shall quote from it because it is important and pertinent to the amendment. The letter says:

"The Local Authority Associations have made representations to the Department about the consequences for local authorities of the decision of the Court of Appeal in this case. In short, they argued that authorities would have to refund substantial amounts of rate income, and that this would have an unreasonable effect on their financial position. They

[Mr. O'Brien]

therefore argued that the Secretary of State should make some arrangements to compensate them through the RSG system or otherwise.

Ministers have carefully considered these arguments. As you will know, the law has been amended so as to restore the position to that which was understood to operate before the Cakebread decision as regards valuation proposals submitted after 10 March 1988. It has also been made clear by the legislation that section 9(2) of the General Rate Act 1967 has no application to these cases, and this has substantially reduced the maximum amount which the Water Authorities might have been able to reclaim from local authorities. Ministers do not, however, intend to bring forward any proposals to modify the existing RSG arrangements so as to provide any additional Exchequer resorces."

That means that the Department emphatically turned down the request from local authorities for compensation for the loss of rateable value as a result of the court decisions. The amendment refers to the period before 10 March and pertains to decisions which influenced local authorities to make refunds.

Current legislation provides for special arrangements in cases where local authorities have suffered a reduction in rateable value. The ceiling for that is that it must be more than 2·5 per cent. of the rateable value. Section 67 of the Local Government, Planning and Land Act 1980 empowers local authorities to apply to the Secretary of State for grant to be recalculated. Unfortunately, no authority met the rateable value criteria that resulted from the Cakebread and Addis cases.

The reduction in rateable values and the consequent liabilities to make refunds are significant. It is estimated that local authorities will have to refund no less than £90 million as a result of the Cakebread decision and between £30 million and £40 million as a result of the Addis case. The decisions have created tremendous problems for many authorities. I shall give some examples of the reductions in rateable values as a result of the decisions. The rateable value in Newham was reduced by £957,700.

In Trafford it was reduced by just under £500,000, in Sutton by £269,000, in Bradford by £212,700 and in Sheffield by £200,600. The rate refund paid by Newham was £2·3 million. Bradford paid £2·1 million, Wakefield £1·6 million, Bexley just over £1 million and Calderdale £692,000. Most of the money was paid before 10 March.

The Secretary of State should consider the problems facing local authorities. In addition to the refunds, they have to face cuts in rate support grant because of the cut-off date of 7 July. One can understand why local authorities are distraught. They also face a further reduction because no compensation will be paid for the fall in their rateable values.

This amendment would allow reductions in rateable values to feed through into grant entitlement, thereby providing some compensation for those authorities most seriously affected. I have already listed a number of those authorities. I ask the Minister to take into consideration the appeals that have been made by the various local authorities, and to agree that some consideration be given to the authorities that are most affected because of the decisions that have been taken.

8 pm

The amendment is a genuine approach to try to resolve a serious matter. It does not try to score points or steal any ground from the Secretary of State. It tries merely to redress the imbalance. We heard a great deal in the last debate about cuts in services, and about how local authorities and those who serve on local authorities have had the traumatic experience of trying to meet the budget. Without any shadow of doubt, over the past nine years, local authorities have suffered tremendously because of Government decisions. The amendment will help to make some adjustment to the problems that are facing certain local authorities because of those decisions. I ask the Committee to accept amendment No. 2 because of its fairness and because it points out an anomaly that has arisen as a result of the decisions taken by the Secretary of State.

Mr. Lord: These amendments are linked to the group that we discussed with amendment No. 1, because of the power of the Government in both cases to put right what are seen as unfairnesses. I shall speak about the effects on county councils of the case of Severn-Trent Water v. Cakebread, with particular reference to Suffolk county council. I shall not rehearse the arguments, because the hon. Member for Normanton (Mr. O'Brien) has laid out the position fairly clearly. I am sure that my hon. Friend the Under-Secretary will not disagree with at least the framework of the way in which he laid down the case.

The result of the case is that Suffolk county council will have to repay £1·9 million to Anglia Water through no fault of its own. Clearly, that has a great impact on the rate level for next year and the way that the whole rating package is put together. The council would like the Government to introduce retrospective legislation so that it does not have to pay out this embarrassing amount of money. The Government are saying that they are not able to do that, but in another part of the Bill, they are doing just that. They are employing retrospective legislation to establish figures for the rate support grant for the forthcoming year, and by doing so, and by choosing in a fairly arbitrary way the date of 7 July, they are penalising Suffolk county council to the tune of £2·5 million. That means that Suffolk county council will lose a grand total of £4·4 million.

The Government cannot have it both ways. They should either allow retrospective legislation so that Suffolk county council does not have to meet the £1·9 million charge to Anglian Water, or they should not use retrospective legislation to calculate the rate support grant figures for the years ahead. There is a great anomaly. I am not talking about levels of services or levels of rates. I am talking simply about honesty and fairness in Government dealings. In this case, it is patently obvious to everyone that things have not been done as fairly as they ought to have been. I ask my hon. Friend the Under-Secretary, as I asked my right hon. Friend the Minister for Local Government earlier, to consider my remarks and those made by every other hon. Member tonight, and to see whether justice and fairness can be done so that these unfair penalties do not fall on county councils such as mine in Suffolk.

Ms. Joan Walley (Stoke-on-Trent, North): I am in the unusual position of agreeing not only with what my hon. Friend the Member for Normanton (Mr. O'Brien) said from the Opposition Front Bench but with what the hon. Member for Suffolk, Central (Mr. Lord) said. I wish to place on record the grave concern with which Staffordshire county council views the Cakebread case and its results. Like those councils mentioned by my hon. Friend and the

hon. Member for Suffolk, Central, the Staffordshire county council is being badly penalised. There is an anomaly and the Government have it in their power to do something about that anomaly. There is no problem in the Government introducing retrospective legislation if they wish to.

It would be wrong of me to let the debate go by without saying that there should be full recognition of the grave effects that the Cakebread decision has had on county councils such as those in the area that I represent. Staffordshire county council was involved in lengthy legal proceedings when the Cakebread case was heard. The matter has been taken up by the council with hon. Members on both sides of the House representing the area, and the council has subsequently taken the matter up with the local authority associations.

I should like the Minister to accept that this is an anomaly with which the Government can and will deal, so that my county council will not have to make grave cuts because of a shortfall in expenditure caused by no fault of its own but by the fact that it has had to give huge amounts of money to the water authorities at a time when we all know that privatisation is just around the corner.

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): The hon. Member for Normanton (Mr. O'Brien) put the facts clearly. Let me go over some of the ground. One of the key figures in determining how much grant each authority receives is its rateable value. The higher the rateable value, the less grant it needs. The 1980 legislation on rate support grant provides that the rateable value of each area is taken from the valuation list on the specified date. That date has always been 1 April, 12 months before the year in question. The gross figure taken from the valuation list is then adjusted to allow for the relief given to charities and to unoccupied buildings.

When a ratepayer challenges a rateable value, it often takes some time for the ratepayer's proposal to be determined. With complex legal cases, it can take several years. Rating law provides that the ratepayer enjoys the benefit of any reduction in rateable value going back to the date on which the proposal was made or, in some cases, 1 April of the rating year during which the proposal was made. This reduction in rateable value does not, however, have a retrospective effect for rate support grant purposes.

The amendment is designed to require the Secretary of State to take into account changes to the valuation list when calculating grant entitlement. The aim is that where a local authority faces a loss of rate income, for example because of a valuation decision, the authority should receive extra block grant in compensation.

Hon. Members on both sides of the Committee have described consequences for local authorities of the decisions in the Cakebread and Addis cases. In the former, as the hon. Member for Normanton said, the Court of Appeal found that certain premises used by all water authorities should not be separately rated as had always been thought to be the practice, but they were included within the formula rating arrangements applicable to the water industry. In the Addis case, the House of Lords found that the creation of an enterprise zone was a factor justifying a reduction in rateable value. That went against the conventional understanding that changes in economic circumstances were not grounds for changes in rateable value between normal revaluations.

In both cases, the Government took the view that the law, as declared by the courts, should not be allowed to stand and that the position should be restored to the one that had always been assumed to operate prior to the decisions. The Government therefore included the necessary clauses in the Local Government Finance Act 1988 to restore the position. The new basis applies to all proposals for revaluations made after 9 March—the date on which the Secretary of State announced the change.

We recognise that local authorities have had to make refunds in respect of the period up to the Secretary of State's announcement. As the hon. Member for Normanton said, about £95 million of rates will have to be refunded. Clearly, it is not possible to identify the amounts refunded as a result of the Addis case, although the hon. Gentleman made an estimate. Section 67 of the Local Government, Planning and Land Act 1980 makes provisions that, deal with changes in rateable values. It provides that once a conclusive calculation has been made for any year, an authority may serve a notice on the Secretary of State if the rateable value is reduced and the reduction exceeds a threshold. The Secretary of State must then pay extra grant to the authority.

The threshold is presently set at 2·5 per cent., so existing provisions mirror roughly the position sought by the amendment, except that the amendment does not provide for a threshold. The amendment seeks to provide that any reduction in rateable value would result in extra grant. It does not mention increases in rateable value, which could also occur. Local authority associations have made representations to the Government, asking that they should provide compensation for authorities that have had to make refunds as a result of the two cases.

We considered those representations carefully, but we concluded that there was no case for departing from the existing arrangements—which I have just described—which were introduced precisely to deal with such circumstances. It would not be sensible or reasonable for the block grant system to track every change in rateable value that may have an effect on an authority's circumstances. It is sensible to take the valuation list at the most convenient point before each grant year begins and to fix on that as the basis for the calculations.

Section 67 of the Local Government, Planning and Land Act 1980 provides a mechanism for dealing with cases in which subsequent changes in rateable value are excessive. The threshhold was set at 2·5 per cent. by statutory instrument and the Opposition did not pray against it. The provisions are available to local authorities if the case under consideration fits the conditions set out. We see no overwhelming case for changing the provisions at present.

8.15 pm

My hon. Friend the Member for Suffolk, Central (Mr. Lord) referred to Suffolk county council. I realise that Suffolk county council will be disappointed that, in the Cakebread case, the Court of Appeal found for the ratepayer rather than the district valuer and that, as a result, a refund of rates has had to be made. For reasons given by my right hon. Friend the Minister for Local Government, that coincided for Suffolk with the date of 7 July. However, the cumulative loss for Suffolk for all the years affected amounts to less than 1·5 per cent. of the rate income for one year.

[Mrs. Virginia Bottomley]

I do not have the precise figure, but I can confirm that it is less than 1·5 per cent. However, I can offer my hon. Friend some comfort. The full supplementary reports are due to be made shortly and are about to go out for consultation. They are likely to result in an additional £1·1 million of grant to Suffolk.

Some hon. Members, including my hon. Friend the Member for Suffolk, Central, have argued that retrospective legislation to reverse the court's decision should have been introduced, so that no repayments would have been due. We cannot accept that argument. It would be wholly unreasonable for the Government to introduce legislation that imposed a retrospective tax liability which, in the Addis case, would fall on private organisations. The Bill is not retrospective—it freezes expenditure information on the date on which the new policy was announced. That is quite different. The rating provisions in the Local Government Finance Act 1988 and the Bill are strongly similar, in that they operate from the date on which the new policies were announced. I therefore urge hon. Members to oppose the amendment.

Mr. Rooker: Will the Minister tell us how many times the 2·5 per cent. limit has been breached since it was agreed by the House? She has been well briefed, as she knows that the Opposition did not pray against it.

Mrs. Bottomley: I am not in a position to give that information.

Mr. Rooker: It is no good the Minister coming to the House to imply that Opposition parties agreed with the figure of 2·5 per cent., when she has not the information to back up her assertion. We are discussing a substantial sum of money—over £90 million—which will be used to featherbed the water authorities. If the Minister's argument about the 2·5 per cent. limit is valid, will she tell us how many times the limit has been breached, and therefore how many times the Government have had to recompense local authorities?

Mrs. Bottomley: I understand that the provision has been made use of once in Wales and never in England. The hon. Gentleman misses the point. Parliament has already discussed the matter and the 2·5 per cent. threshold was agreed.

Mr. Rooker: We are talking about very different circumstances. I challenge the Minister to give chapter and verse about whether a case similar to the Cakebread case was given as an example by Ministers. It is a case that has overturned the normal rating conventions.

It is ironic that the Minister should talk about Parliament's agreement. The Government guillotined the poll tax Bill, so Parliament did not have a chance to debate this matter then. The date of 10 March was legislated for in the summer. I admit that the announcement was made at the Dispatch Box on 10 March, but by that time the poll tax Bill had completed its Committee stage. The matter was never properly debated in the House. The first opportunity to have a debate on it has come tonight.

Mr. O'Brien: The Minister referred to the normal reduction in rateable values through the demolition of properties or the closure of factories. However, the case that we are presenting is different. The 2·5 per cent. threshold to which the Minister referred applies to the principle of the general reduction in rates because of changes in the local authority area. The reduction in rates usually comes about because older properties are removed from the valuation list or because certain industries close. We accept that if there is a substantial reduction, an application can be made for compensation under the rate support grant order.

We are not discussing demolished properties being removed from the valuation list. We are discussing properties that are taken out of the valuation list to the benefit of some ratepayers. In this case, the Severn-Trent water authority was one of the greater beneficiaries, but other water authorities throughout the country have also benefited. There is a substantial difference between the principle outlined by the Minister and the case that we are presenting, and I hope that she will accept that. It is abysmal that she should come here, miss the whole point of the argument and bring in other issues that have no bearing on the amendment. The amendment seeks to be fair to the authorities that have suffered because of the two decisions. I hope that the Minister will accept the amendment. If she does not, I hope that other hon. Members will support it.

Question put, That the amendment be made:—

The Committee divided: Ayes 164, Noes 201.

Division No. 470] **[8.10 pm**

AYES

Abbott, Ms Diane	Davies, Ron *(Caerphilly)*
Adams, Allen *(Paisley N)*	Davis, Terry *(B'ham Hodge H'l)*
Allen, Graham	Dixon, Don
Archer, Rt Hon Peter	Doran, Frank
Armstrong, Hilary	Duffy, A. E. P.
Banks, Tony *(Newham NW)*	Eastham, Ken
Barnes, Harry *(Derbyshire NE)*	Evans, John *(St Helens N)*
Barnes, Mrs Rosie *(Greenwich)*	Ewing, Harry *(Falkirk E)*
Barron, Kevin	Fatchett, Derek
Beckett, Margaret	Faulds, Andrew
Bell, Stuart	Fearn, Ronald
Benn, Rt Hon Tony	Field, Frank *(Birkenhead)*
Bennett, A. F. *(D'nt'n & R'dish)*	Fields, Terry *(L'pool B G'n)*
Bermingham, Gerald	Fisher, Mark
Bidwell, Sydney	Flannery, Martin
Blair, Tony	Flynn, Paul
Boateng, Paul	Foot, Rt Hon Michael
Boyes, Roland	Foster, Derek
Bradley, Keith	Fraser, John
Bray, Dr Jeremy	Galbraith, Sam
Brown, Gordon *(D'mline E)*	Galloway, George
Brown, Nicholas *(Newcastle E)*	Garrett, John *(Norwich South)*
Brown, Ron *(Edinburgh Leith)*	Gilbert, Rt Hon Dr John
Buchan, Norman	Godman, Dr Norman A.
Buckley, George J.	Gordon, Mildred
Caborn, Richard	Grant, Bernie *(Tottenham)*
Callaghan, Jim	Griffiths, Nigel *(Edinburgh S)*
Campbell, Menzies *(Fife NE)*	Griffiths, Win *(Bridgend)*
Campbell, Ron *(Blyth Valley)*	Hardy, Peter
Campbell-Savours, D. N.	Hattersley, Rt Hon Roy
Clark, Dr David *(S Shields)*	Heffer, Eric S.
Clay, Bob	Henderson, Doug
Clelland, David	Hinchliffe, David
Clwyd, Mrs Ann	Hogg, N. *(C'nauld & Kilsyth)*
Cohen, Harry	Home Robertson, John
Coleman, Donald	Howarth, George *(Knowsley N)*
Cook, Frank *(Stockton N)*	Hughes, John *(Coventry NE)*
Cook, Robin *(Livingston)*	Hughes, Robert *(Aberdeen N)*
Corbett, Robin	Hughes, Roy *(Newport E)*
Cox, Tom	Hughes, Sean *(Knowsley S)*
Crowther, Stan	Illsley, Eric
Cryer, Bob	Janner, Greville
Cunliffe, Lawrence	John, Brynmor
Cunningham, Dr John	Jones, Barry *(Alyn & Deeside)*
Davies, Rt Hon Denzil *(Llanelli)*	Jones, Martyn *(Clwyd S W)*

Kirkhope, Timothy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McKelvey, William
McLeish, Henry
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Soley, Clive
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Frank Haynes and
Mrs Llin Golding.

NOES

Aitken, Jonathan
Alexander, Richard
Amess, David
Amos, Alan
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'ls)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Fairbairn, Sir Nicholas
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Moss, Malcolm
Mudd, David
Neale, Gerrard
Neubert, Michael
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Ridsdale, Sir Julian
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Speed, Keith
Spicer, Michael *(S Worcs)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Thornton, Malcolm
Thurnham, Peter
Vaughan, Sir Gerard
Waddington, Rt Hon David
Waller, Gary
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Wolfson, Mark

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Michael Fallon.

Question accordingly negatived.

Mr. Bob Cryer (Bradford, South): I beg to move amendment No. 16, in page 1, line 20, at end, insert—

'(d) assessing the needs of Metropolitan Districts in the light of increasing school rolls, number of temporary classrooms in use, unemployment levels, social security recipients, age of public building and housing stock, condition of roads, railway facilities and any other relevant factors to enable him to increase the payments of domestic rate relief grant and block grant.'.

I should like to make a few brief remarks about each item in the amendment to explain why I believe that the Committee should support the amendment. As Bradford

[Mr. Bob Cryer]

is a metropolitan district council, I propose to concentrate on that city, although my remarks apply to all metropolitan district councils.

Many of the areas about which we are concerned, such as Bradford, are older industrial cities. Bradford has a number of specific problems, one of which is increasing school rolls. It is virtually unique among the major cities of our country in that its secondary school rolls are expanding. That fact should be taken into account when considering rate support or block grant.

About 500 temporary classrooms are in use in the Bradford metropolitan district and part of the allocation for the replacement of those classrooms by permanent extensions to our schools is being used to repair the temporary classrooms which need major repairs because they have been empty for so long. That is patently absurd and, contrary to what the Tories keep telling us, is not value for money. The Minister should take into account the fact that such cities as Bradford face that great problem.

A third of our schools were built before 1903. A large proportion of those older schools are often very well designed. I am not suggesting that they should all be bulldozed immediately to be replaced by modern buildings, but there is a special problem in maintaining and modernising some of Bradford's school buildings.

Dame Elaine Kellett-Bowman (Lancaster): I am glad that the hon. Gentleman implied that there was not necessarily any disadvantage in the design of those older schools. Is he aware that, in my constituency, there are several super schools over 300 years old which will last a great deal longer than much of the rubbish put up in the 1940s, 1950s and 1960s?

Mr. Cryer: I am sure that the hon. Lady has many happy memories of some of those schools being opened and that she will be willing to make out her own case when her turn comes.

One of Bradford's problems is that we now have a Conservative majority which is getting in on the mayor's casting vote. Most people consider that to be a form of cheating.

Dame Elaine Kellett-Bowman: Rubbish.

Mr. Cryer: The Conservative majority in Bradford recently made a number of decisions that will make the position much worse. In the previous debate, it was suggested that the Tories were saving a little money by dismissing an employee to promote peace. The Tories propose to save £1·5 million a year by raising the price of school meals to 80p a day; £250,000 a year by cutting the number of caretakers and cleaning staff, which will make the building problem worse; £100,000 by scrapping the community education budget; and £125,000 by trimming furniture repairs and replacements. They propose to replace absent teachers with temporary staff only after at least three days' absence and to abolish a fund to help hard-pressed inner-city schools, in direct contravention of the Prime Minister's stated aims. In addition, they propose to save £228,000 a year by dismissing 13 advisory teachers and 43 jobs will remain vacant to save wages and equipment funds. Further measures include withdrawing support for creches at Shipley and Keighley colleges.

Those are major attacks on education in Bradford and it behoves the Minister to accept my amendment so that he can make some compensation for those vicious attacks put through on the mayor's casting vote in what the majority of Bradford citizens see as a straightforward means of cheating.

One of the other problems affecting Bradford is the level of unemployment. Over 22,000 people in Bradford metropolitan district are unemployed at present and there are 1,700 vacancies. The Tory-controlled council is proposing to cut the equivalent of 9,000 jobs at a time when there is a deficit of over 20,000 jobs. It is proposing to throw the equivalent of 9,000 people in full and part-time jobs on to the dole. That is outrageous and that is why I included the issue of unemployment in the amendment.

The level of unemployment in Bradford is well above the national average. When unemployment pay runs out, people receive social security benefits. The number of people in Bradford receiving benefits will therefore increase and the Minister should also take that factor into account.

The Tories in Bradford also propose callously, coldly and viciously to sell off 15 old people's homes. Elderly people who have spent their lives working for the community are to be sold off like so many chattels or items on an accountant's balance sheet. At the council meeting on 25 October, a Tory councillor said:

"If you do not grasp the nettle of these crumbling homes for the elderly, then I think it's shameful."

I invite the Minister to grasp that nettle by enabling the condition of public buildings, including old people's homes, to be taken into account in assessing the grant requirements of cities such as Bradford.

Mr. Dennis Skinner (Bolsover): Is my hon. Friend aware that a few days after that decision was taken on the casting vote of the mayor there was a remarkable spin-off in a Nottingham by-election? When the story of the Tory decision in Bradford was told, the result was to turn a Tory majority of 400 into a Labour majority of 600. We must continue to put that message across, as my hon. Friend and others are doing in the Chamber, so as to alert the electorate in every town and city. Does my hon. Friend agree that Nottingham was a very good start?

Mr. Cryer: I am grateful to my hon. Friend for drawing attention to that. Here is an opportunity for the Government to state that there are criteria other than the whims of a tiny, extreme Right-wing clique on Bradford council. I am sure that the Government have noted the election result in Nottingham. There is no doubt in my mind or, I am sure, in the minds of my hon. Friends that if the Tories had revealed their dstardly plans to sell off old people's homes and sack 9,000 people we would have held Odsal with a vast majority.

Dame Elaine Kellett-Bowman: The hon. Member for Bolsover (Mr. Skinner) is out of date because on Thursday the Conservatives won a seat on Hyndburn district council, bringing us very near to getting control.

Mr. Cryer: The amendment concerns metropolitan districts, of which Hyndburn is not one, so the parallel cited by my hon. Friend the Member for Bolsover (Mr. Skinner) is far more accurate than any other example given so far.

Mrs. Alice Mahon (Halifax): Is my hon. Friend aware that within two or three days of the change of control in Bradford the Tories in Halifax were bragging that if they had taken control in May they would have been prepared to close old people's homes? Does my hon. Friend agree that this may be part of a Tory plan for wholesale privatisation of old people's homes wherever they gain control?

Mr. Cryer: It is clearly implicit in the Bradford policy. Many Tories, including members of the Government, are saying that that is the kind of policy that local authorities should adopt, with callous disregard of old people's wishes.

Mrs. Teresa Gorman (Billericay) *rose*——

Mr. Cryer: I will give way to the hon. Member for ticket touts in a moment.

A survey which I understand was commissioned by the local authority from Market and Opinion Research International showed that elderly people did not wish to be sold off. The so far unpublished poll of 138 elderly people showed that more were worried about being sold off than took the matter calmly and that there were high levels of satisfaction with all aspects of the local authority homes. The Minister may argue that old people's homes can be sold off and thus need not be taken into account for grant, but that survey invalidates that view. I know that the Minister supports balloting, as he voted for legislation requiring trade unions to engage in balloting until it comes out of their ears—although not, of course, at GCHQ, as today's splendid demonstrations showed. That survey by MORI, unpublished but handed to the local authority, shows clearly that old people do not want to be sold off.

8.45 pm

Mrs. Gorman: It is always stimulating to be given a rub-down by the thinking woman's version of a Brillo pad. The hon. Gentleman may be interested to know that I have had a word with the leader of the Conservatives on Bradford council on the subject of the old people's homes. It seems that under the long-term Labour administration the homes had become very rundown. The people now running Bradford are quite sensibly bringing in the private sector to do a better job for the old people with, one hopes, better conditions and better value for money. There is no question of the homes being closed down, so the hon. Gentleman is misleading the Committee.

Mr. Cryer: I intend to press my amendment on the basis that the Minister should take into account the condition of public buildings such as those old people's homes. The hon. Lady could not have raised the matter at a more opportune time, as I have here a secret internal memorandum from Bradford recommending:

> "It should also be a condition of the sale that specific essential repairs be carried out in appropriate cases in addition to the alterations that will be necessary for each home to provide the acceptable ratio of single occupancy bedrooms required for private registration."

That is a recommendation to the director of social services that money should be spent on the homes before they are put up for sale.

Mr. Patnick: Will the hon. Gentleman give way?

Mr. Cryer: I should like to finish this point.

Moreover, there is a suggestion that the homes could be put up for sale illegally because it is proposed that there should be a restrictive covenant to ensure that they are run in a particular way. The recommendation states:

> "You will note from the reports that in most cases that the proposal to sell the properties with the restriction on future use the expected purchase prices are less than an expected purchase price on an unrestricted sale, substantially less in some instances. It is therefore clear that the proposed disposals whether sold individually or as one sale could well be in breach of Section 123 of the Local Government Act 1972. This Act provides that an Authority must not, without the consent of the Secretary of State, dispose of land for a consideration less than the best that can reasonably be obtained."

It suggests that the local authority is trying to sell off the homes at a cut price and thus to evade the provisions of the 1972 Act, and it rather suggests that the enterprise culture is indeed the corrupt culture that many of us believe it to be.

The other cruel section of the memorandum—it is merely advice given to the local authority, but it is restricted because it is not the kind of thing that the Tories would want to become public—suggests:

> "It may be worth considering as an alternative that two or three of the homes only be sold as 'going concerns' to test the market."

The proposal is that old people should be made to suffer in the evening of their lives so as to test the market to see where the wretched Tories can raise some more money.

I do not believe that the Minister shares that cold, calculating view. I hope, therefore, that in his reply today he will express some sympathy for the view that money should be available to take into account the age of public buildings so that money can be spent to satisfy those old people who were virtually balloted through MORI, their wish to stay in those homes can be met and money can be made available from central Government for repairs and rehabilitation.

Another of the criteria is the housing stock, which in Bradford is mostly intended for the elderly. Few new houses have been built, because of Government restrictions. Phase three of a development on a major estate in my constituency has been frozen. There are problems with the so-called Boot houses, which are prefabricated homes built in the 1930s that have developed faults and are expensive to repair——

Mr. Skinner: Were they built by private enterprise?

Mr. Cryer: Yes, they were built by Henry Boot. The local authority is picking up the bill for houses that, in later years, have proved to be faulty. The Minister should take that into account. The faults of private enterprise are being visited upon the tenants or, in some cases, the purchasers and the tab is being picked up by the local authority.

I am sorry that the hon. Member for Keighley (Mr. Waller) is not present this evening——

Mr. Skinner: The hon. Member for Keighley (Mr. Waller) is probably trying to sort himself out. When we recently voted on a Lords amendment relating to dental and eye check charges, he voted with the Opposition the first time but, strangely, did not do so on the second occasion.

The Temporary Chairman (Mr. Nicholas Winterton): Order. Interventions must be relevant.

Mr. Cryer: I take my hon. Friend's point. The hon. Member for Keighley is the only one of the five Members concerned who is not here this evening. All the Labour Members are present.

In the rush towards privatisation we should remember that in 1971 the Keighley Tories privatised the council's housing maintenance department and handed it to two private contractors. That maintenance was so bad, and so little was done because the money had gone into the pockets of those contractors, that under local government reorganisation in 1974 the Bradford Tories had to establish a new direct works department. They had to spend more money in Keighley than in any other area in Bradford metropolitan district to remedy the damage done. That must be taken into account when assessing grant for Keighley.

Another of the criteria listed in the amendment relates to roads, although I do not wish to comment in detail on that. The *Telegraph and Argus* last year ran a campaign about the poor condition of roads. An area called Queensberry, which has produced the famous Black Dyke Mills band—the glamorous side of Queensberry—has had its expenditure on private street works frozen. Roads in some parts are like medieval quagmires. In today's society it is wrong that there are no decent roads to service decent, sturdy, terraced houses. The Government should provide grant for the carrying out of those street works.

Railway facilities are also mentioned in the amendment. At Low More in my constituency the proposed station is low on the list of priorities. The Minister should take that into account because such a station would be a boon to my constituents who have to suffer a poor bus service—which has become very much worse since the legislation introduced by the then Secretary of State for Transport, now the Secretary of State for the Environment. I note that the right hon. Gentleman is sitting shyly in a corner of the Chamber. His transport legislation was bad, as is his environment legislation. Both are so terrible that it is difficult to judge between the two. It would help Bradford if the Minister bore in mind the fact that there are two separate stations and that it would be useful to link the two. If that was done Bradford would be placed on the railway map.

The Tory council in Bradford was elected on the strength of a by-election when people were not given the relevant information. They were deceived. The Tories lied about their plans and denied that they would embark on any cuts. The Tory candidate's election address did not mention that 9,000 people would be made redundant and that there would be cuts in community centres and so on. That council is embarking on savage cuts that will have the greatest impact on the poorest people in Bradford.

In voting for the amendment, hon. Members will vote for an opportunity for central Government finance to overcome the Tories' savage cuts. I invite the hon. Members for Shipley (Sir M. Fox) and for Keighley to vote for the amendment, which would help to rescue some of the buildings and facilities in their constituencies. If the amendment is not carried, the cuts will cripple many families, both directly and indirectly through the provision of such services as education. Any Tories who vote against the amendment will be callously voting to kick the ordinary, hard-working, decent people of Bradford in the teeth.

Mr. Patnick: The hon. Member for Bradford, South (Mr. Cryer) promised to allow me to intervene in his speech, but I now realise that he suffers from galloping amnesia. As my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) reminded us, the hon. Gentleman's description of his metropolitan district is typical of any metropolitan district today. I could make similar arguments for Sheffield: indeed, I did so on Second Reading.

I was taken to task by members of Sheffield council for suggesting that Sheffield could make further savings. Sheffield actually runs the Karl Marx memorial lecture, which was introduced by the hon. Member for Sheffield, Brightside (Mr. Blunkett) at the Sheffield memorial hall on Friday 11 March 1988. The lecture was organised by Sheffield city council's central policy unit, and supported by Sheffield city council's police and community safety panel. The subject was "the state, the police and the inner city". It was the sixth Karl Marx memorial lecture.

9 pm

In February 1985, the then leader of Sheffield city council, the hon. Member for Sheffield, Brightside (Mr. Blunkett), in an article in the well-known magazine "Sheffield Today", made the following germane point:

"The hardest hit councils, not just the rate capped ones, are asking for the same three things from Central Government:

1. getting rid of the unfair system of financial targets and penalties which eats into council grants
2. restoring the grant to a fair level so that less money has to be found from the rates
3. giving up trying to use the Rates Acts to force councils into cutting jobs and services."

That is the very basis of the legislation before us.

Wages and salaries form at least 68 per cent. to 70 per cent. of the costs of running a council. I listened carefully to the hon. Member for Bradford, South (Mr. Cryer). If there are 9,000 redundancies to be made in Bradford, it would bankrupt the council. It would not have the cash to fund such redundancies. Nowhere at all can it find money for redundancy payments to 9,000 members of staff, be they full-time, part-time, or whatever. It cannot do it. It is one of the myths that the hon. Member for Bradford, South has repeated many times in the House. From all the hon. Members for Bradford we have heard the greatest crop of misinformation that has ever been placed before the House. We should tell the truth, the whole truth, and nothing but the truth. We should not hear about the way in which Opposition Members see the matter from their political stance. We should deal with it on a factual basis, and I did so. I went to see Eric Pickles, and I said to him, "With 9,000 staff and all these things you are doing, how, where and why?"

I shall give the proper story from Bradford. It is a load of rubbish that it is getting rid of many staff. One hundred and fifty staff are due to be redeployed, and that works out at a cost of £1·8 million. What did Bradford decide to do? It has freed managers to work without political interference. It removed the Left-wing trappings from standing orders. It protects the right of minority political groups and promotes open government. It has changed standing orders to reduce the size and number of committees. It has reduced committee places from 460 to 180. It has reorganised the priorities and duties of committees. It has abolished Left-wing talking shops and other things. It has introduced committees to oversee competitive tendering in all departments. It has brought

in, as Sheffield had to bring in, cash-limit budgets. It has reorganised conduct and voting at council meetings in a more effective way. Savings of £6 million were needed to be approved on 25 October. Savings of £5·8 million this year and £8 million next year will prevent the council from re-rate-capping.

What about other councils? What about Wakefield? Nobody has mentioned the £20 million——

Mr. Max Madden (Bradford, West): Before the hon. Gentleman moves from Bradford to Wakefield, if Bradford council does not plan to dismiss 9,000 men and women over the next five years—2,500 full-time jobs—will he explain why the amendment, which he and several of his Conservative colleagues sponsor, refers precisely to 2,500 fewer jobs in Bradford?

Mr. Patnick: I am obliged to the hon. Gentleman for his intervention. All will be revealed as I make my speech in my way, not in the way in which he wishes it to be made.

Already, savings of £11 million have been made in Wakefield. Sheffield has £20 million to cut from its budget, and Brent has a £17 million decrease. Hon. Members have heard a lot about benefit shops. Three were closed because they duplicated the work of social services who employed staff and a mobile advice centre. The council is moving them into one-step shops, which will enable ratepayers to go into shops and receive information. There are no education cuts. Therefore, the cost of meals is going up to 80p. Had the cost of meals gone up by 5p a year between 1984 and 1988, they would now be at 80p—the very price they are to be. According to CIPFA, Bradford recovers 21 per cent. of meal costs through revenue, while the cost of meals in Calderdale, Kirklees, Leeds and Wakefield is 10 per cent. higher than in Bradford, and one third of all meals are free. Thirty-seven per cent. of schoolchildren do not pay for any increase. In Calderdale, Kirklees, Wakefield and Leeds, the average is 22 per cent.

Brent, when faced with that problem, sacked 230 teachers, reduced teachers' salaries by £2 million, sliced discretionary awards to students, and tried to abolish school meals and nursery education, but it was unsuccessful.

I have heard quite a lot from the hon. Member for Bradford, South about the lord mayor of Bradford. There were no elections to be held during the next year, so it was decided, as the Conservatives had the majority, to use the lord mayor's casting vote. As I have explained, that is a trick or ploy that Sheffield has used for many a year. Only Socialists can ever be lord mayor of Sheffield: that is the way the cookie crumbles. But when Conservatives do it, suddenly it is all wrong.

An injection of cash is needed to bring the old people's homes up to standard. The social services directorate admitted the shocking statistic that nine of the 13 homes would fail to be registered if they were in the private sector. The council must ensure the proper care of the district's elderly people, but it is abundantly clear that it has not the resources to provide suitable facilities of its own. A feasibility study showed that, if the homes were transferred to the private sector, the Department of Social Security would provide full income support for 68 per cent. of the residents and slightly reduced income support for 19 per cent. For only 13 per cent. would no income support be provided. If all the homes were transferred, the ratepayers of Bradford would save £2·3 million a year in revenue costs. Those would be capital savings.

Mrs. Mahon: Will the hon. Gentleman give way?

Hon. Members: Give way.

Mr. Patnick: Hon. Members must not start lecturing me about etiquette and giving way. When I asked the hon. Member for Bradford, South (Mr. Cryer) to give way, he promised that he would, but carried on making his speech.

Some £10 million in capital costs will be needed to bring the homes up to a proper standard. The £2·3 million savings would finance a new team of inspectors. The eight new staff appointed will register and inspect private homes throughout the district and ensure that they meet the high standards set by the council. It is clear that, if the homes are transferred, the care of the elderly will be improved. The social services directorate said that nine of the 13 buildings were virtually unfit for human habitation and would never be improved by the council.

Mrs. Gorman: Does my hon. Friend agree that the homes were in danger of deteriorating into the kind of condition that was allowed to prevail in the Nye Bevan home run by a Socialist London council? Their state was so disgraceful that they had to be closed down by outside intervention. Does my hon. Friend agree that if the council had remained under Labour control the same would have happened in Bradford?

Mr. Patnick: I thank my hon. Friend for her intervention. It is clear that if the homes are not transferred they will deteriorate. As it is, the council has additional resources to monitor carefully the quality of care offered by the private sector. The transfer would guarantee a proper level of capital investment, while day-to-day care is as good as, or better than, that offered in the public sector. In Sheffield, homes were closed because they were claimed to be "not suitable" for the care of the elderly.

Houses have not gone into disrepair since the Tory Government came in in 1979. Council after council has allowed its housing stock to deteriorate. We have a responsibility because it was decided to replace with tower and point blocks and high-density housing, nearly all of it concrete, the smaller terrace-type houses that could be converted and improved at reasonable cost.

The hon. Member for Bradford, South mentioned Reema building such houses, but Sheffield city council built houses that had mould growing on the inside, and they have all had to be knocked down. It cannot be claimed that just one contracting company built such houses. The decision to build houses on a mass scale was a curse of the society in which we lived at the time. The Bradford Tory group on the council decided to increase rents by £3 from late November and to reconsider the housing revenue account at Budget time. The Labour group rents for the three years from 1983 to 1985 were such that if the matter were not so serious it would be laughable.

The Temporary Chairman: Order. I am listening carefully to the debate and I have allowed frequent references to Bradford, but I hope that hon. Members participating in the debate will relate their remarks to the

[The Temporary Chairman]

terms of amendment No. 16, not purely to Bradford. The amendment is much wider than just the metropolitan district of Bradford.

Mr. Patnick: I am obliged to you, Mr. Winterton, for putting me back on the right road. I am referring to the needs of metropolitan district councils and the deterioration in the housing stock. What applies to Bradford also applies to Sheffield and most of the housing stock throughout the country. It is a fact that some major refurbishment is taking place with the housing action areas and the estate projects, and that the deterioration in the housing stock did not start to happen in 1979.

All authorities have a bureaucratic nature. They have central services, personnel, architects, accounting, computing and a chief executive's office. All this work has been duplicated and duplicated, and the new committee structures need to be mirrored elsewhere.

The hon. Member for Bradford, South was allowed to make his speech virtually about Bradford alone, but I appreciate my position. Nevertheless, to return to Bradford, I disagree with Opposition Members that the situation in Bradford is so different from that, were there a change in control of another local authority. I do not accept that all the ills of local government started in 1979 with the election of a Conservative Government. I do not accept that all the houses, the schools and public buildings have deteriorated since 1979.

I accept that for a long time we have needed a change in local government funding. I accept that anyone who uses council services should contribute to them both through the tax system and through the rating system. I do not accept some Labour Members' argument that the community charge is a poll tax. That is the argument of people who wish not to vote, but they can decide if and when they pay their community charge whether to go into the polling booth. The law does not insist that one votes. In Sheffield only 24 per cent. of the electorate bothered to vote. It is a fact that if people pay a community charge, more people vote.

I cannot accept the amendment or the hon. Gentleman's claim that his constituency is unique in that the Conservatives have taken control. Otherwise, Bradford would have been a rate-capped city. Sheffield was rate-capped and has not been since. It is up to the local authority to pull itself back into the 20th century and then to go forward as the Bradford Tories have done.

9.15 pm

Mr. Pat Wall (Bradford, North): In recent years cuts in rate support grant from about 60 per cent. to 40 per cent. have placed enormous strains on local authorities, and the amendment in the names of my hon. Friends the Members for Bradford, South (Mr. Cryer) and for Bradford, West (Mr. Madden) deals with the relationship between rate support grant and the social problems of urban areas, especially the historic problems of neglect and aging over more than a century.

Government policy has meant that the more local authorities spend above GRE, the more they lose. Conversely, the greater the deficiency on GRE, the more grant aid they receive. Since 1979, we have had 20 Acts to reduce the powers of local authorities. That legislation has severely affected many local authorities. First, we had a system of targets. That system was unfair to many authorities. In the end, the Government recognised that and modified it so that local authorities were judged on their historical spending patterns. Most authorities received sums equal to the figures that they had already produced or a little above. Then we had the added complication of the so-called multiplier.

Bradford, Birmingham, Sunderland, Cleveland and an authority in Derbyshire suffered extreme losses although they have never been rate-capped or gone above GRE. The figure for Bradford for the past three years is £38 million, or a rate of 87p in the pound, and the average cost has been £110 per ratepayer. That sort of expenditure has not been repeated in many other authorities, even including Leeds —our immediate neighbour, and a city of similar size. That shows the high cost of Toryism to the ratepayers of Bradford.

About two years ago, the Government began to retreat and tried to recognise the social needs of cities and inner urban areas such as Bradford, but their wishes were overturned by the revolt of their friends in the Tory shire counties, who demanded that grants be made per head of population, not on the basis of social need. That ideal was enshrined in the Local Government Act 1988, which created the so-called community charge.

Bradford has serious problems, with one quarter of men and three fifths of women officially recognised as low-paid, one third of families on some form of state benefit and 60,000 people in receipt of the old supplementary benefit alone.

As my hon. Friend the Member for Bradford, South said, one third of our schools were built before 1903. I understand that tomorrow Dixon's will announce that it has negotiated with Bradford city council to build a city technology college in the city. It will donate about £1 million from its charity fund, which will be matched by Government expenditure of between £4 million and £10 million. Education in Bradford will be cut by £3,370,000 this year and by about £3·5 million the following year. Bradford does not need £4 million to £10 million of Government expenditure on a college for a tiny section of the community. It needs an effort to restore the cuts that are proposed by the Conservative council and to make good the years of neglect in our inner city. Newcastle, Liverpool, Manchester, Birmingham, Glasgow and the older industrial cities have suffered similarly.

Mr. Cryer: Does my hon. Friend accept that the amount of money that will come from the public purse for this CTC in Bradford is the equivalent of all the money that will go on capital expenditure for the whole of the public sector in the Bradford metropolitan area? Is it not a scandal that that should be permitted under this Tory Government?

Mr. Wall: To bring the schools in Bradford up to a modern standard requires the expenditure of £10 million a year over the next 10 years, and our allocation for school building and renovation is only £6 million a year. Our position will not be different from that of other cities.

The hon. Member for Sheffield, Hallam (Mr. Patnick) mentioned housing starts. Again, our city is not unusual; its housing starts fell from 2,200 in 1978-79 to only 800 in 1986-87—a fall of 64 per cent. At the same time, the Government have forced local authorities to sell their best houses, but have restricted their ability to reinvest those

proceeds in house building. That has led to a reduction of one third in the stock of council houses in that period—in a city with a housing waiting list of more than 8,000 people.

Bradford's backlog of repairs will cost some £130 million, which is more than 10 years of our total housing grant. However, the Conservative council intends to cut expenditure on housing and the environment by £43,000 this year, including, in a spiteful move, £7,500 which was originally intended for emergency accommodation for the homeless. I raised with the Prime Minister in the House the matter of a young man of 17 who was forced to live in a rubbish skip overnight.

It is not just council tenants who suffer. The number made homeless through mortgage default or rent arrears has trebled in Bradford during the past five years. Bradford, like other cities, has real social problems that the Government penalties have created and which have led to a crisis in many urban areas. The relevance for Bradford is that unlike most urban areas, we now have a Conservative majority and, if the reactionary proposals of the council are carried through, it will be on the basis of a wild west scenario of two-vote Smith Midgeley, who has more in common with the sheriff of a wild west town, such as Dodge City, than with the mayor of a hard-working west riding city.

If I may use the western analogy again, the hon. Member for Hallam bored us with an inordinate speech on Brent last Monday, despite the fact that he was a city councillor in the city of Sheffield. Having travelled from Sheffield to Brent, he has now moved this week to the city of Bradford, and he reminds me of the motto of the old western hero, "Have gun, will travel." In his case, it is "Have local government speech, will travel to any area" where his party may need assistance, because it has a lack of speakers on the subject.

The combination of social problems and the rate support grant has hit inner-city areas, and has hit, too, the Minister's friends in Bradford. I do not think that outsiders realise that there are not just three Labour seats in the city of Bradford; it is a metropolitan district which has five seats, including Keighley and Shipley.

Mr. Madden: Where are those hon. Members?

Mr. Wall: They are not here tonight.

I have done a rough calculation without checking the figures in the Library, but in the 1987 general election the Conservatives had a majority of 9,000 votes over the Labour party for the combined five seats and, because of the peculiarities of the way in which the boundaries were drawn and because the addition of Ilkley prevented Keighley from becoming a Labour seat, the metropolitan district is not a typical Labour heartland. However, up to two years ago the council was either Conservative-run or was a hung council that was basically a Conservative council with alliance support. Labour took the council in the first place because of the rate increase of more than 30 per cent. imposed by Bradford council. It was the cut in Government rate support grant and the special cuts of £38 million for Bradford that led to that rate increase and to the defeat of the Conservative council at that time, and the election of a Labour council in the metropolitan district for the first time.

The secret behind what is happening in Bradford, which has national implications, is that we are faced with a massive auction of public assets to reduce the burden of the poll tax in its first year of introduction. That is no basis for future planning for any local authority and it is no way in which to tackle the enormous social problems that my hon. Friend the Member for Bradford, South and I have outlined today and last Monday.

The Government have a chance to consider the plight of the five towns that lost last year under the terms of the multiplier, which affected the rate support payments. They have the chance to make good that loss during the current year. That does not just go for the £38 million already mentioned. The Minister should help his political friends in Bradford by giving the council the sum of between £4 million and £10 million that will otherwise go to the city's CTC, supposing that Dixon's plans go through. In that way, the cuts of £5 million announced by Bradford council would not have to be made and a burden would be lifted from some of the poorest working-class communities in Bradford. Those people are facing an increase of £1 per week per child for school meals. If a family has three children and has to pay an extra £3 per week, that represents a real cut for a textile worker on low wages and is an infringement of that person's standard of living.

I do not believe that the flint-hearted members of the Government, the Minister's Departmant or the Tories who now run Bradford council will take a humane and reasonable attitude to the special problems that Bradford has suffered over the years. However, I must warn them, even if Bradford metropolitan district is not a traditional Labour area. The Tories tried the same trick with London as they are trying with Bradford. When they were defeated in the old London county council, they redrew the boundaries and formed the Greater London council. They met with defeat there as well. As night follows day the result of the policies introduced in the city of Bradford will mean that, for the first time, there will be a massive Labour majority when we get the next opportunity at the polls. In common with the GLC, that city council will also go Labour, it will remain so and the only way in which the Government will demolish that will be if they abolish the council itself.

Mr. Madden: We are gathered together in the Committee to consider the Rate Support Grants Bill and I shall take as my text an unlikely source—an article written——

The Temporary Chairman: Order. The text that the hon. Gentleman should take for his speech is amendment No. 16.

Mr. Madden: I wholeheartedly support amendment No. 16, which refers to assessing the needs of metropolitan districts in the light of a number of matters. I intend to refer specifically to unemployment levels and social security recipients.

In an article in *The House Magazine* of 7 November, Councillor Eric Pickles, the leader of the Bradford Conservative group, said:

"Bradford may seem an unlikely place to host a Conservative revolution in local government . . . People are simply not used to decisive action in local government and the speed with which we are moving has taken them by surprise. It may have taken until 4·30 in the morning, but at the council meeting two weeks ago, we did more to reform Bradford Council in one night than the Labour Group had done in two years of control. The Conservative programme for Bradford council, the first phase of which"—

I stress "the first phase"—

[Mr. Madden]

"was passed at last month's meeting, has three related parts. Firstly, the management structure of processes within the organisation must change to meet the new environment created by Government legislation. Secondly, the structure and concerns of committees must reflect the priorities of an enabling Council, not a paternalistic bureaucracy. Finally, the extent and character of the services delivered by the Council must be made relevant to the real needs of the people of the district."

Councillor Pickles has great difficulty in identifying real people. In our local media, he has been widely quoted as referring to the people who were extremely concerned about the matters that were steamrollered through at the council meeting, and to which he referred, as not "real people", but members of the Labour party.

Councillor Pickles and the hard-line clique of associates with whom he is now seeking to introduce, by stealth, his hidden agenda, must tell us how the real needs of real people in Bradford are to be met. Who decides? Who sets the criteria? As my hon. Friend the Member for Bradford, North (Mr. Wall) said, for a new city technology college to be announced tomorrow in Bradford is surprising news indeed because I do not believe that such a college represents the most overwhelming need of real people in the city of Bradford at present. An enormous amount of public subsidy will be put into building a new college in my constituency, on land that was previously devoted to housing. We have enormous housing needs and, as my hon. Friends the Members for Bradford, South (Mr. Cryer) and for Bradford, North have said, we have an education crisis and are trying to improve the education service and the fabric of our established schools, so we need a city technology college like a hole in the head.

9.30 pm

If the college comes about—I have grave doubts that it will—inevitably it will do great damage to upper schools in Bradford and to Bradford and Ilkley community college, the largest in Britain. It will cream off the ablest young pupils from upper schools and the ablest staff from existing institutions. It will do great damage to our education, which is already in considerable difficulty.

If there are large sums of money available from the private sector, I believe that it should be put into existing schools, many of which are facing great difficulties because of shortages of equipment and books and which lack other basic amenities. If the Government are willing to put into Bradford about £4 million or £6 million, the major priority must be improving our education service, and improving Bradford college, not building a shiny new college which, if it is built, will become known as Kenneth Baker's folly. I strongly urge the Government to have considerable second thoughts about the wisdom of proceeding with a city technology college in Bradford.

In Bradford there are many unemployed people and people on low incomes, who need to know where they can get help. They need information. I should like to confine my remarks to my concern and that of many others in Bradford about the decision of the new Bradford Tory council to close our benefit advice shops—unlike the hon. Member for Sheffield, Hallam (Mr. Patnick), who seems to have been imported into the debate in the absence of his hon. Friends the Members for Shipley (Sir M. Fox) and for Keighley (Mr. Waller) to speak about Bradford, but who seems to know very little about it. I hope that he knows more about Sheffield. In recent debates he has given us a gazetteer of all sorts of different places in London and other parts of the country. He should have limited his remarks about Bradford, because they seemed to be singularly uninformed.

The people of Bradford need advice on the benefit help that is available. They need to be given the correct application forms and advice and assistance in completing those forms. If help is refused, they need assistance in making appeals to social security tribunals and other appeal bodies. Many Asian men and women who live in Bradford need particular help across the range of matters that I have mentioned. Bradford Tory council's decision to close the benefit advice shops seems to be at odds with the Government's declared objective to target help where it is most needed. That is crazy and, in my language, it is plain daft.

Thousands of people in Bradford have received advice from the benefit advice shops about the DHSS, about unemployment benefit offices, about housing benefit and much else. More than 60,000 people have received good, accurate, helpful advice from our benefit advice shops over the past three years. That is very relevant to amendment No. 16. I urge the Minister, who the other day did not seem to be aware of Bradford Tory council's plans to withhold funding from Bradford's citizens advice bureaux or to close the benefit advice shops, to investigate the matter urgently. I urge him also to have talks with his colleagues in the DHSS and at the Department of Employment because I believe that this matter is vital. Bradford Tory council should be prevented from closing the benefit advice shops.

The benefit advice shops are seen to give independent advice. That cannot be said of the DHSS, the UBOs or the jobcentres. If the Minister consults the staff of those bodies, they will tell him that the public perceive the DHSS, UBOs and jobcentres as part of the system. The public do not believe that they give independent or impartial advice. Those agencies will tell the Minister that the great value of our housing benefit advice centres is that they are seen to be independent. The difficulty in Bradford is that not only is the Tory council closing the benefit advice shops: it is also threatening to close many independent advice centres organised by voluntary groups in different parts of the local community.

Ministers are obsessed with everything being cost-effective and offering value for money. I hope that the Minister will consider the contribution that the benefit advice shops make towards helping many people in Bradford. Those shops are vital to the local economy. If people are helped to get benefit to which they are entitled, they spend their benefit on local goods and services. That is good value for money.

Regrettably, the social fund has had a devastating effect on people's opportunities to get benefit to which they are entitled. In effect, it has reduced considerably the amount of money spent in our local community on goods and services by poor people and those on low incomes. I hope that the Minister, unlike the hon. Member for Hallam, will recognise that Bradford benefit advice shops do not duplicate services found in the local DHSS offices, in the local UBOs or in jobcentres. The advice shops provide advice which is perceived by the public to be extremely helpful and, most importantly, independent. They are not seen to be part of the establishment or part of the system.

In the context of this amendment, I urge the Minister to ensure that Bradford Tory council is told that it is important for the unemployed, for those on social security and for those who want to get benefit to which they are entitled, that urgent steps are taken to keep the benefit advice shops open.

I recently tabled parliamentary questions to discover the number of bilingual Asian staff in our local DHSS, UBOs and jobcentres. There are five Asian-speaking staff in the three DHSS local offices. None of the claimant advisers in our local UBOs is an Asian bilingual speaker and no such speakers are available in our job centres, each of which has only limited access to Asian interpreters. I again urge the Minister to look at the help that Bradford's benefit advice shops and other independent advice centres give to Asian people seeking information about benefit entitlement and help and information on a range of other matters.

If the Government continue down the road of targeting help on those most in need, they clearly have a responsibility to enable people entitled to help to get it easily. Those people must be able to get proper, accurate and independent advice. That need can be clearly seen in terms of family credit. We are told that the national take-up is only 30 per cent., and I do not think that it is any higher than that in Bradford.

I have raised these matters with the Minister, I think, three times. I ask him to save our benefit advice shops because if they close many Bradford people will lose. Our economy will also lose, and so will the local council. The closure of those shops will result in more rent and rate arrears. If we have to pay the dreadful poll tax, there will be poll tax arrears. There will be more disconnections of gas and electricity and more debts accruing to the electricity and gas boards. On all those matters, independent benefit advice is important.

The Minister seems to be laughing. I hope that he will address his considerable intellect, which has been displayed so often in our debates, to the real problems of people in Bradford. If he does that fairly and objectively, he will conclude, as many people in Bradford concluded long ago, that these benefit advice shops and other independent advice centres should be retained and allowed to continue to give good independent advice to the many men and women in Bradford who seek to use them.

Mrs. Mahon: I should like to address two matters relating to the amendment. One is about elderly social security recipients in residential homes and the second is about deteriorating housing stock. I challenge the statement by the hon. Members for Billericay (Mrs. Gorman) and for Sheffield, Hallam (Mr. Patnick) that it would be better for elderly people to be cared for in private homes. I can speak from some experience because I spent many years caring for elderly people. It is morally unjustifiable to move people around as if they were unit costs and not give them any choice because they are elderly.

I appeal not to the Minister's intellect but to his Christianity and ask him to think before he allows wholesale privatisation of care for elderly people. It has not been proved that it is more cost-effective to keep elderly people in private homes. Taxpayers pay billions of pounds so that some people can make profits from the care of the elderly. If local authorities were given the same handouts as the private sector, I am sure that local authority homes would not be in the state of disrepair that we have heard about in the debate.

I remind the Minister of a sad tale in Calderdale concerning the Government's foolish policy on the repair of housing stock. In 1982 my metropolitan borough suffered a gale that badly affected some houses on a hillside in Calderdale. We have many hills in Calderdale and these houses were not placed in the most suitable site. The hon. Member for Eastbourne (Mr. Gow) who was then the Minister for Housing and Construction, refused to give us a grant to repair the houses. Some years later, we were exposed to the estate action programme introduced by the Government, and the private sector let us down. We had to pull down 344 houses and flats and that was a scandal when there were 5,000 people on a waiting list.

The Government have now given £364,000 to a private developer to build on this land. The local authority is getting only £112,000 for the land and the private developer is bragging about making £250,000 profit out of the deal, but the ratepayers of Calderdale will be paying between £80,000 and £90,000 in debt charges for 40 years. I challenge any hon. Member to tell me that that is good economic sense. I urge the Minister to take note of the amendment and get some sense into local government finances.

9.45 pm

Mrs. Gorman: I had not intended to make a speech, but I wish to correct this point, because we have heard an awful lot about elderly people and homes. Privately owned homes for the elderly, as the hon. Member for Halifax (Mrs. Mahon) knows, are heavily regulated and often visited by inspectors from the public sector, so there is no question of these institutions becoming rundown unless the inspectors are not doing their job properly. It is much more likely that public sector homes become rundown, because the inspectors are often in cahoots with the people running the public sector homes, because they are in the same unions and are all working together for the same council. That is how the Nye Bevan scandal developed. Everyone was covering up for everyone else, and that happens regularly in the public sector.

Mr. Gummer: I shall look at the situation in Bradford as an example, as it is the only example that has been given. In Bradford, the grant entitlement in 1988-89, which is the one no doubt to which hon. Members would like me to apply special arrangements, will be £151·5 million, which is £14 million more than it was in 1987-88.

Mr. Cryer: Not enough.

Mr. Gummer: That is the kind of helpful remark that the hon. Gentleman has been making this evening.

I am obsessed with value for money, because it is value for the taxpayers' and ratepayers' money and the value goes to those who are least able to help themselves. I find the debate upsetting because the reason for the change that Bradford is seeking to bring about is that for some time Bradford has been run at the behest not of the clients of the local authority but of the unions that run certain services. I am not surprised, because the hon. Member for Bradford, West (Mr. Madden) was for some time the assistant campaign manager for the National and Local Government Officers Association, that he made the kind of speech that he did. The Labour party is always

[Mr. Gummer]

defending what is done by the unions, which take more from the local authorities than they should do and leave less for those who need help and whom the local authority should be helping.

It is surprising that the hon. Member for Bradford, South (Mr. Cryer) made all that fuss about the increase in price for school meals. I did not notice him shouting at the hon. Member for Halifax (Mrs. Mahon) because the Calderdale local authority in her constituency was charging 70p when Bradford was charging 60p. Is Calderdale a disgusting authority? Did I hear a fight about that? A price of 80p is not out of the ordinary. It is not a high price to pay for school meals when a third of those who take them get them free. It seems much better to give the money directly to those who need it.

It was a pity to hear the reactionary views of the hon. Member for Bradford, West about the city technology college. I do not know what the decision about the CTC will be, but I know that the attempt is to give better education in Bradford and to get a good deal of money for it from the private sector. The hon. Gentleman should welcome that. I am ashamed that he has tried to turn that down for his own city.

The hon. Member for Bradford, West should be ashamed of making his disgraceful comments about the staff of the unemployment benefit offices who work hard to provide advice. His comments were an insult to those who work long hours in difficult circumstances in those offices.

The hon. Member for Bradford, South should recognise that we should support a local authority which has changed control and wishes to do things for those who are least able to help themselves. An example is what that council is doing with old people's homes. The so-called "secret document" which the hon. Gentleman produced was no doubt another example of the kind of theft of which we have seen so much—*[Interruption.]* Well, it was either untrue to say that it was secret or, if it was secret, how did it get into the hon. Gentleman's hands——

Mr. Cryer: On a point of order, Miss Boothroyd. The Minister, whose tongue frequently runs away with him, has implied that I stole the document. May I put it on the record that that document was sent to me by a constituent and that Members of Parliament have every right to receive documents from constituents so that they can expose scandals that are taking place under Tory control?

The Second Deputy Chairman: That is not a point of order. Our Standing Orders have not been breached.

Mr. Gummer: I regret the comment that it was in any sense a theft by the hon. Gentleman. The document obviously fell off a lorry.

The truth is that Bradford has sought to do something about its old people's homes. As the document showed, Bradford has tried to raise the standards of its old people's homes, which had fallen disgracefully under the previous Labour administration.

The hon. Gentleman should take a leaf from the book of the Bishop of Bradford who, having discussed the matter with the leader of the Conservative group, said, "We shall be watching what the Conservative group does. We shall be monitoring it most carefully. I have now been satisfied on a number of things about which I was worried." I believe that under its new control, Bradford city council will try to improve things for the people of Bradford. I shall be watching and monitoring it most carefully. However, at least I shall do so honourably ad with an open mind instead of with the closed, reactionary Left-wing minds from which we have heard today.

What has been said has little to do with the Bill. However, it has shown that Opposition Members are still smarting from having lost that by-election.

Mr. Rooker: The Minister's comments are not an answer to the debate. The right hon. Gentleman has made absolutely no attempt to answer any of the debate on amendment No. 16. That is disgraceful. My hon. Friends, the Members for Bradford, South (Mr. Cryer), for Bradford, North (Mr. Wall) and for Bradford, West (Mr. Madden) make no apology for devoting the debate to the Bradford issue. My hon. Friend the Member for Halifax (Mrs. Mahon). Has made points about her own local authority, as did the hon. Member for Sheffield, Hallam (Mr. Patnick). However, the Minister completely ignored the issue.

Let us stick with Bradford a moment. The Minister may say that everything is okay, fine and rosy, but like other hon. Members, I have in my possession not a stolen document, but a disreputable document. It is the Conservative manifesto from last May. There is not a single mention in it of any of the things that are now being introduced by Bradford's Tory-controlled authority.

The Minister referred to attacks on staff in unemployment benefit offices and at the Department of Social Security. My hon. Friend the Member for Bradford, South made no such attack. Indeed, the Minister must know that it is not part of the function of a civil servant in an unemployment benefit office or a social security office to give advice. Such civil servants are specifically debarred from giving advice. That is why, in all the social security pamphlets published by the Government, people are advised to go to citizens advice bureaux. Civil servants are not empowered to give advice. Therefore, my hon. Friend's point is valid because advice shops were and are required.

Advice bureaux are one of the areas of activity covered in the document which was compiled by the controlling group in Bradford. Among the political objectives set down by it for discussion on Tuesday 27 September was "abolition of current local authority functions not politically acceptable".
Giving advice to poor people so that they can maximise their benefits to assist the local economy is politically acceptable to the Opposition, but Conservative Members want no part in it.

The Minister talked about value for money. That is an important matter, to which we shall no doubt return. I suspect that, during the current year and probably the following year, Bradford will figure largely in that context. It will certainly figure next May, like the other large cities and metropolitan districts to which the amendment applies, because that is when the 36 metropolitan districts should have elections. We demand those elections. It does not matter whether they are in Birmingham or Bradford: we want those elections. The Government have banned the election in those 36 large towns and cities next May. They could easily have restored the annual elections in those cities when they abolished the metropolitan counties. Bradford can get away with what it is doing now because it does not have to face the electorate for two years.

The Labour party is not afraid to face the electorate. *[Interruption.]* We will stand by the results of the ballot box. The Government are scared stiff of bringing back annual elections in the large cities. They talk about democracy and accountability, but that is sheer cant and hypocrisy. We want those elections in the metropolitan districts next May.

One of the proposals put forward by Bradford, which I have not yet heard explained—perhaps one of my hon. Friends can explain it—relates to the top management contracts that will be introduced. Four factors were listed in the document. The top management will be placed on seven-year contracts. Salaries will be cut to 80 per cent., but it is clear that most top managers will be able to earn at least their existing salary, and it is intended that they will have the opportunity to earn 115 per cent. of their existing salary. Performance targets will be set and reviewed every two years. There is nothing wrong with that; that is good management practice, whether in the public or private sector.

However, I want an explanation of the words "perks to be introduced". I want to know what perks will be given to top management. Clearly, those would be supported by Government. They will be paying rate support grant in order to pay the perks to top managers who will be able to earn 115 per cent. of their salary. What perks will the Government be funding through the rate support grant? I want the answer to that question.

Mrs. Mahon: May I remind the Minister that Calderdale was controlled by Tories and Liberals continuously until May of this year?

Question put, That the amendment be made:

The Committee divided: Ayes 173, Noes 215.

Division No. 471] **[9.57 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Home Robertson, John
Howarth, George *(Knowsley N)*
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Janner, Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McKelvey, William
McLeish, Henry
McNamara, Kevin
McTaggart, Bob
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Frank Haynes and
Mrs. Llin Golding.

NOES

Alexander, Richard
Amess, David
Amos, Alan
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Curry, David

Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Neubert, Michael
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, John M *(Solihull)*
Thornton, Malcolm
Thurnham, Peter
Trippier, David
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Wheeler, John
Widdecombe, Ann
Wolfson, Mark

Tellers for the Noes:
Mr. David Maclean and
Mr. Tom Sackville.

Question accordingly negatived.

It being Ten o'clock, THE SECOND DEPUTY CHAIRMAN *left the Chair to report Progress and ask leave to sit again.*

Ordered,

That, at this day's sitting, the Rate Support Grants Bill may be proceeded with, though opposed, until any hour.—*[Mr. Neubert.]*

Again considered in Committee.

Mr. Cryer: On a point of order, Miss Boothroyd. A serious constitutional matter arose in the previous debate. The hon. Member for Sheffield, Hallam (Mr. Patnick) appeared to take over the job of the Members of Parliament for Sheffield and Keighley, in that the Bradford amendment was proposed, but there was no representation of the Tory view from other hon. Members in the metropolitan district. I want to be assured that hon. Members are not having their jobs taken from them by the hon. Member for Hallam.

The Second Deputy Chairman of Ways and Means: The Chair cannot give any assurance on that point. It has no relationship whatsoever to the Chair.

Clauses 1 and 2 ordered to stand part of the Bill.

Schedule 1 agreed to.

Clause 3 ordered to stand part of the Bill.

Schedule 2

TOTAL EXPENDITURE: 1989-90

10.15 pm

Mr. O'Brien: I beg to move amendment No. 10, in page 14, line 31, leave out from 'which' to end of line 34 and insert

'reflects the retail prices index for September 1988'.

The amendment refers to a formula in schedule 2, and in particular to the part of that formula described as 'Z'. It seeks to increase local authorities' budgets for 1988-89 in line with the latest estimate of inflation. If we are to be fair and give serious consideration to local authority expenditure, we must at least allow an increase for the rate of inflation. In this instance, we refer to the amount relevant to the calculation of grant entitlement in 1989-90.

Schedule 2 sets out the formula for determining a notional expenditure figure, "the relevant amount", for 1989-90, on which local authorities' grant entitlement will be based. 'TE' in the formula represents local authorities' 1988-89 budgeted expenditure, while 'Z' represents an inflation factor. The amendment puts on the face of the Bill an inflation factor in line with the index for September 1988. According to Government figures, the inflation factor for that month was recorded as 5·9 per cent.

Announcing the provision for local authority current expenditure in 1989-90 on 7 July this year, the Secretary of State said that the increase was slightly above the anticipated level of inflation. The increase, adjusted for the extra provision for poll tax costs, was 4·3 per cent., compared with the Government's latest forecasts for the increase in the gross domestic product deflator of 4 per cent. In July the retail price index was increasing faster, at a rate of 4·5 per cent. In the autumn statement, the

Chancellor of the Exchequer raised the increase in the GDP deflator in 1989-90 to 5 per cent. Retail price inflation is forecast to rise in 1989-90 above the Chancellor's latest forecast of 6·25 per cent. in the fourth quarter of 1988 before falling back to 5 per cent. in the fourth quarter of 1989.

On either measure of inflation for 1989-90, the GDP deflator or the RPI, the provision for local authority expenditure in 1989-90 is insufficient to maintain current service levels. We are talking about inflation as it has been recorded by the Government, but for many reasons the inflationary factor facing local authorities is much larger than the recorded RPI factor. All we are asking is that the formula should meet the recorded increase of 5·9 per cent.

The Secretary of State should recognise the surge in inflation that has occurred since July and increase the expenditure provisions. A rise in the expenditure provision would necessitate an increase in Government grant, because otherwise ratepayers would bear the whole cost of the increased provision. That is the background to the amendment. I hope that the Minister will give some explanation of why the amendment cannot be accepted. It is a constructive approach to resolving the issues facing local government.

It would be much easier for the Minister to accept the amendment, ensuring that local authorities have the opportunity to meet their commitment in line with the increase in the RPI. I ask the Minister to accept the amendment. If she cannot, I ask her to give a viable or reasoned explanation of why it cannot be accepted.

Mrs. Virginia Bottomley: The effect of the amendment on local government would be one which most Labour Members would greatly regret. I realise that the complexity of these matters is such that people do not always think through the effects. The higher the Z factor, the sharper the slope and the greater the effect on the higher spending authorities. Brent, about which we have heard a certain amount this evening, would stand to lose nearly £3 million if we accepted the amendment. Lambeth would lose £4 million, Islington £5·5 million, and Birmingham about £4 million.

I should like to explain briefly the Z factor, although I am not sure that it is the most edifying part of our discussions. It is important to be clear that the Z factor does not refer to the amount of grant available. My right hon. Friend the Secretary of State made it clear in July that this is set to rise by 9 per cent., which is considerably above the level of inflation, to £13,575 million. The point about expenditure and the Z factor is rather different.

The amendment is about the factor in the forthcoming rate support grant settlement that is consistent with the proposal that local authority current expenditure should increase by 4·8 per cent. between this year and next. This factor, called the Z factor, is the uplift for total expenditure. In addition to current expenditure, total expenditure includes the financing costs of capital expenditure, but it excludes any expenditure financed by specific grants. Mainly due to the substantial increase in specific grants next year, such as the new grant for community charge preparation costs, the Z factor is likely to be about 1·032, which is a 3·2 per cent. increase. It will be spelt out more precisely in the consultation paper on next year's settlement.

The hon. Member for Birmingham, Perry Barr (Mr. Rooker) referred to our proposals for current expenditure provision generally and he urged us to say that local authority expenditure should rise by the retail price index for September, which is 5·9 per cent. That would be wholly inappropriate because while the RPI may be an appropriate measure for consumer prices, the generally accepted measure of inflation in the economy is the GDP deflator. It is forecast to rise by 5 per cent. in 1989-90 and our proposals on current expenditure provision are broadly in line with that.

The Z factor is not about the amount of grant to be available. That increases by 9 per cent., as my right hon. Friend announced. The amendment would have a particularly harsh effect on many local authorities that Labour Members most wish to help.

Mr. Cryer: Does the Z factor cover items such as increased capital expenditure on education? In the current year, Bradford will spend about £10·487 million on capital expenditure for school buildings. I have a press release from Dixon Group plc announcing that it will help to fund a city technology college in Bradford. The capital expenditure on that college will cost the public purse about £10 million. One small sector of education in Bradford will attract the equivalent of the capital expenditure on all the 258 public sector schools in Bradford. I wonder whether the increase in grant to £13 billion covers the announcement that will be made tomorrow?

The Government say that they make grant calculations, yet private bodies are making announcements about Government policy. They are handing over government to squalid little people such as Stanley Kalms who is making a bid for a knighthood by announcing this CTC. It is time that the Government made the position clear. Does local authority expenditure include these private ventures encouraged by the Secretary of State for Education and Science? It is an outrage that Dixon should make an announcement of £10 million of public expenditure, and I wish to know whether it has been included in the Minister's calculations or whether it is extra money that they can find for Dixon, but not for education in Bradford.

It is outrageous that the Government are lining the pockets of the private sector yet they cannot give the House a clear statement of whether such decisions are included in their calculations. Nor do we know whether they plan to take them into account in future calculations for rate support grant but cannot yet tell the House because a deal has not been reached with some get-rich-quick person—they are called entrepreneurs nowadays—who is trying to get a reward or a title.

Mr. O'Brien: I am grateful to the Minister for making part of the formula clear, although we still have many questions about the other factors of the formula in schedule 2.

The Minister said that if the retail price index was the factor of inflation it could have far-reaching effects on local authorities, but I am not convinced that that will be the case. Another worrying factor is the intention of water authorities, especially Yorkshire water authority, substantially to increase water charges. In Yorkshire and Humberside, local authorities will have to pay up to 27 per cent. more. I hope that the Minister will take note of that inflation in the coming year.

Mr. Martin Redmond (Don Valley): Is my hon. Friend aware that the Yorkshire water authority is increasing charges to boat owners? Does not the Minister believe that

[Mr. Martin Redmond]

it should try to keep prices down for leisure activities to enable the public to enjoy the recreational facilities that are so desperately needed in our area?

10.30 pm

Mr. O'Brien: It is clear that my hon. Friend is mirroring my worry which has been caused by the proposals of, especially, the Yorkshire water authority—proposals which I am sure will be followed by other water authorities —to make sure that privatisation is attractive. Those are the issues that will be facing local authorities and the Minister should be aware of that worry.

In presenting this amendment, I wanted to probe the question of the Z factor in the formula. Some explanation has been given, but I am sure that there are further questions that should be asked. Because of the complexity of this formula and the fact that we shall be referring to it again in the near future, I beg to ask leave to withdraw the amendment.

Mrs. Virginia Bottomley: I do not intend to say very much more about the Z factor, but I would like to say that the mean attack by the hon. Member for Bradford, South (Mr. Cryer) on better education is irrelevant. To attempt to do Bradford out of a city technology college says very little for him and has nothing to do with the Z factor.

The Second Deputy Chairman: Would the hon. Member for Normanton (Mr. O'Brien) make his position clear on the amendment?

Mr. O'Brien: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Rooker: I beg to move amendment No. 11, in page 15, line 2, leave out from 'is' to end of line 5 and insert "such an amount as agreed after consultation with the Local Authority Associations, which amount represents the expenditure relevant authorities might reasonably be expected to incur in the year beginning in 1989 in connection with Part I of the Local Government Finance Act 1988.".

I invite hon. Members who are here to legislate to study page 15 of the Bill. There is a rather strange figure on the second line of page 15. It says:

"The Secretary of State shall secure that the aggregate of figures determined under this paragraph for relevant authorities is £53,057,231".

That is a very precise figure. It is incredibly accurate to the last pound. I know that we take the accuracy of poll tax calculations to extremes, but I believe that this one beats the lot.

I understand that 43 full-time civil servants have been working on the poll tax Bill to get it to the House, and that was before the Government added about 400 amendments. At the end of the day, they arrived at the figure of £53,057,231. That money is allegedly start-up money for the poll tax. It is supposed to help local authorities with the horrendous costs of introducing this quite outrageous poll tax Act. This tax will cost twice as much to collect as did the rates, and local authorities are said to need £53,057,231.

Our amendment seeks to take out the precise figure, because we wish to show that the sum allocated by the Government for poll tax set-up costs is inadequate. We also wish to ensure that the position is kept under review, which is crucial.

I know that the Minister of State visited Birmingham recently. Although I had a public meeting with Councillor Knowles last Thursday, I did not have a chance to discuss the Minister's visit with him. However, I gather from press reports that the Minister has promised to double the amount of money allocated to Birmingham for its poll tax set-up costs. I am putting words into the Minister's mouth, but that is what the press reports led me to believe.

Mr. Gummer: Perhaps to help the hon. Gentleman, I will say that I was dispelling a false comment that the community charge sum which had been provided in this part, which is a specific grant, was all that was coming, when he knows there is provision for twice as much in the normal RSG. Therefore, the total amount to Birmingham was about twice what had been expected. That is the only point that I was making, which I think was accepted by all hon. Members.

Mr. Rooker: I accept that, but it is no way near enough. I am not saying that the £53 million is all that the local authorities will receive.

The £53 million allocation is, I understand, based on a total of £110 million. The Government have decided that that sum represents the revenue costs to English authorities of poll tax preparation in 1989-1990. We are only talking about the start-up revenue costs and not capital outlay, which will involve considerably larger sums.

I presume that the Minister has gone through all the briefs that were used in Committee—more would have been done since then—and has seen all the detailed figures. Local authorities contend, however, that the £110 million underestimates the likely costs. The Government's defence —no doubt we shall hear more of it later on—is that the estimate is in line with the cost estimates made by Price Waterhouse. We have received information from local authority associations—we do not just dream up figures —which challenges the Government's estimates.

Price Waterhouse estimated that the cost to English authorities would be £108 million. The start-up revenue costs, however, were based on November 1987 prices, not 1988 or 1989 prices. Inflation has been running at 5·9 per cent. for the past 12 months and the gross domestic product deflator—I hate using the initials GDP because I think that it sounds bad to those listening to our debates —for 1988-89 has been predicted in the Autumn Statement at 6·26 per cent. That means that the Price Waterhouse estimate of £108 million should be £122 million to be worth the same, in real terms, by November 1989. That figure is 11 per cent. more than the sum recommended by the Government's consultants. Given that difference, it is reasonable to consider how Price Waterhouse reached its figure.

It is unfair that we did not have greater advance warning about this Bill, but, at this time of night, I shall not go into the detail of the Price Waterhouse report; rather, I shall give a summary of my criticisms of it. That report was based on a small sample of authorities. It rested on dubious assumptions and missed several areas of spending, which I shall elaborate upon if required. No allowance was made for preparatory publicity or the staff training required to administer the poll tax.

It is obvious that major publicity campaigns will be needed for the new Tory tax. Central Government have earmarked £1 million for publicity in England this year. I suspect that when the poll tax is implemented, that lot on the Tory Benches will have spent more than £1 million on glossy leaflets through front doors and on television advertising, usually with the subliminal Tory logo in the corner of the screen. In Scotland, the Government put a leaflet through every door telling people how good the poll tax was, which was printed in blue. Such was the neutrality of the Government's propaganda efforts in Scotland.

We know that the Government have earmarked money for publicity, but we appreciate that it cannot all be done centrally. In England, registration dates will vary and, therefore, each local authority will have to mount its own campaign to inform the people of that date.

Mr. Redmond *rose*——

Mr. Rooker: I shall give way to my hon. Friend in a moment.

In Birmingham, 16 per cent. of the adult population are from the ethnic minorities. I do not seek to draw the patronising conclusion that they cannot speak or read English, because in every household in Birmingham there is someone who can. There are people, however, who, after living and working in this country for years, still do not have a full command of the English language. One sees that not just among the ethnic minorities. Constituents of mine who came here in 1950 from Latvia could not get British citizenship under naturalisation because even today they could not pass an English language test. Local authorities will have to have special publicity, and languages other than English will have to be used. That will vary from authority to authority.

Mr. Redmond: My hon. Friend mentioned the vast amount of money that the Government are spending on propaganda in an attempt to brainwash and kid the public.

[Mr. Redmond]

Is it the local authorities that will have to spell out the truth about the poll tax, and will the Minister see that authorities that do so are not penalised and surcharged?

Mr. Rooker: I should not want my hon. Friend to misunderstand the position. Local authorities are debarred by the Local Government Finance Act 1988 from telling the truth about the poll tax because if they did so, they would be accused of putting out propaganda. That is outlawed under the publicity clauses in that Act. The Government will determine the form of the poll tax bills received by our constituents. It will not be up to the local authorities—they will not be able to tell the truth about the poll tax.

The Price Waterhouse report did not refer to staff training. It is unrealistic and bordering on stupidity to implement a major change such as this without staff training. The system will be heavily dependent on computers. That was demonstrated at local authority conferences; there was even a stall or two at the Labour party conference. Firms up and down the country are providing local authorities with their wares and equipment such as forms and computers.

The bailiffs are involved—everybody is involved. Everyone will make money out of the poll tax except our constituents who, by and large, will have to pay it to pay for the cuts that go to the well-off. Staff must be trained in the intricacies of the legislation. It is not a five-minute job. There was no estimate for staff training in the Price Waterhouse report, on which the Government based the figure of £53 million.

The local authority associations have been monitoring the likely cost to members, with a series of surveys. The sample is far bigger than that used by Price Waterhouse—it is over 300 compared with Price Waterhouse, which looked at 25 local authorities, when in England alone close on 400 will implement the poll tax. It is too early to say that all local authorities know what their exact final costs will be, but it is certain that, as implementation nears, the authorities will make more decisions and that final costs are likely to rise.

In the explanatory and financial memorandum to the Local Government Finance Bill, the Government estimated costs of £70 million to £90 million in 1989-90. That has already been raised by 57 per cent. Since the poll tax was presented to the House on 3 December last year, the likely revenue costs alone—not capital costs—have been increased by the Government by 57 per cent. The Price Waterhouse figures in real terms—the £122 million rather than the £108 million—show an increase of 74 per cent. on the original figure.

As authorities will be able to assess the final cost only when the tax is close to implementation, we should like some commitments from the Government, which we believe to be reasonable. The first is to keep the position under constant review, which is important. It is nothing personal, but the poll tax will become a living nightmare for the Minister in the next 18 months. Over the next 18 months or two years it will become a living nightmare for the Conservative party and the Minister will have to keep the matter under constant review.

I want the Minister to keep one narrow area of policy—the start-up and revenue costs to local authorities—under review. Clearly, the figures available when the Bill was published have been shown to be too low. The Minister should also make available whatever amounts prove necessary to launch the Government's flagship properly. If the Government do not launch it properly, it will sink. We do not want to poll tax to sink—oh, no. The Government have pushed it through the House, and the Government are going to get it rammed down their throats at the ballot box from now until they depart from office.

10.45 pm

I could—I emphasise "could"—detain the Committee a lot longer going through all the other points that Price Waterhouse failed to take into account. The report lists unspecified assumptions, it refers to unstated formulas and it extrapolates through some unknown process. There is no explanation in the report about the extrapolations or the formulas. The report assumes that there will be no customer avoidance—that is, no evasion of the tax. But we know that there will be evasion.

The report fails to consider a wide range of material. It states that there will be no increase in the proportion of people paying by instalments. Frankly, the poll tax structure means that every citizen should pay the tax through 10 monthly instalments. That is the opposite of the present two half-yearly rate demands. The pressure will be on people to pay the whole poll tax in advance, as that is the only alternative. The idea that a professional firm of accountants, in assessing the likely start-up costs, did not assume that a bigger proportion of people would pay by instalments, shows that the firm is not living in the real world and did not take account of the legislation that it was asked to judge. There is no attempt in the report to underpin the figures on such things as efficiency savings.

However, I will not go into those matters in detail, although I could. I do not think that that would do the Committee justice, because as the weeks pass and the new Session starts, the Government will have nearly two dozen orders to present to the House, every one of which will be prayed against. We will deal with the poll tax week in and week out. This is just a skirmish, but it is an important narrow point that we are trying to get the Government to acknowledge.

The Government should give the commitments that I have asked for—that the matter will be kept under constant review and that, when they receive figures which prove that their figures were wrong, the Government will at least make good the balance to local authorities. Otherwise, a tax will be introduced which will cost 4p in the pound to collect and which is twice as costly to collect as the rates. On top of the 4p, we will have to spend even more money on the start-up costs. That is quite ludicrous. There is no earthly reason why local authorities should be penalised any more than the Government have already penalised them.

Mr. Matthew Taylor: After all the hours that we spent debating the poll tax in Standing Committee and in the Chamber it is good to see that nothing changes. The Government are still not giving the details underlying their assumptions and are still not telling us how the calculations are made. They are still producing figures which I suppose do much to try to support their case for the poll tax, but do little to meet the reality that local authorities across the country claim they will experience in, for example, implementing the poll tax and meeting the associated costs.

The figure in the Price Waterhouse document is a good example of the problem. The Minister listened to the hon. Member for Birmingham, Perry Barr (Mr. Rooker). Can the Minister refer to any authorities that have contacted him to say that they believe that the figures are reasonable and to give an idea of the likely costs of implementing the poll tax? Has any local authority given the Minister that message while he was going round the country talking to them and asking them how they will implement the poll tax? Certainly, in my part of the country that has not happened. Irrespective of its merits, the costs of putting the poll tax in place are higher than the amount that the Government have allowed. The cost will be higher than the specific figure that, most unusually, the Government have given in the Bill.

There must be a large question mark over the Committee's being asked to put into legislation figures that bear no relation to reality. The Government are unable to come up with detailed justification for those figures. To tell us that the Price Waterhouse report deals with the matter is hardly adequate.

We have heard about some of the problems, but, like the hon. Member for Perry Barr, I do not want to go into them in great detail. I support what he said about technical problems. One could run through a long list of areas for which the figures and the facts behind the assumptions that Price Waterhouse has made are not given. Price Waterhouse does not even tell us the figures for the examples that it has looked at. It will not let the authorities that it used judge the matter, look at the figures and comment on them. No doubt those authorities would find that useful.

How can the Minister justify the assumptions that Price Waterhouse made in reaching its figures? Those assumptions cannot be justified and therefore the Minister cannot justify the figure that is contained in the Bill. Paragraph 51 of the report says:

"There will be no 'customer avoidance' i.e. evasion of the tax".

I do not think that even the Government would pretend that that is true. In Committee we argued at length about the level of avoidance. Like many other hon. Members, I argued that it is likely to be very high, that a tax such as this is likely to be extraordinarily difficult to police, and that it will be difficult to stop people avoiding it. If we assume that the level of avoidance will be the same as that for television licences and car tax, or if we associate collecting poll tax with the difficulties of collecting rates, we see that at least some evasion will take place. The level of avoidance will be much higher than predicted.

How can the Government come forward with a figure that is precise, not to £1,000 or £100 but to £1? How can they reach so precise a figure using a report based on such assumptions? Paragraph 28 of the report says:

"The processes involved in administering a Community Charge are the same as those for a rate account, and hence authorities should be able to achieve their current workload ratio".

We all know that it is far easier to identify a house than to identify an individual, and that it is far easier to tax property than to put a tax on everyone, no matter how low his income. They will all pay at least something in poll tax. It is extremely difficult and there are high costs associated with that. It seems that the assumptions on which Price Waterhouse based its report made a low figure inevitable. One wonders whether they were the assumptions that the Government told Price Waterhouse to make so that they would get the answer that they wanted.

As the hon. Member for Perry Barr said, we are told that there will be no increase in the proportion of people paying by instalments. The poll tax payment system is different from that for rates. With the poll tax one is encouraged to pay by instalments. People may have to opt out of paying by instalments rather then the other way round.

The hon. Member for Perry Barr spoke about the missing areas. No account is taken of the need for publicity. How is a local authority to put the system in place if it is not able to tell people how it will work and to make sure that they are informed? Tory Members would be the first to complain if a local authority did not tell people what was happening, or did not tell them what the timetables for collection and registration would be. Equally, they and the Minister would be the first to complain if authorities were making a complete mess of implementing the poll tax because staff had not been trained adequately and were being asked to do things for which they had no experience or training.

We can only presume that the Price Waterhouse assumptions lie behind the figure used in the Bill. If that is the case, I cannot believe that the Minister can justify that figure. I hope that the Minister will accept the amendment, but if he cannot, he should bring forward an alternative, and explain how he will match the reality of the situation with the fantasy that we have so far had from the Government. At the very least, he should drop the pretence that the figures in the Bill bear any relation to the reality that local authorities will face.

Mr. Peter L. Pike (Burnley): The Minister intervened in the speech of my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), but he has not yet told us how he arrived at the exact figure that is in schedule 2 and is referred to in the amendment. One of the problems with the haste with which the Government have pushed through the Bill is that they have not thought it all out.

The Minister for Local Government gave me a written answer last week in reply to a question I asked about the cost of the introduction of the poll tax. In that reply, he mentioned the Price Waterhouse report, published on 23 June, and said that the report

"estimated preparation costs in 1989-90 in England and Wales to be between £99 million and £102 million"—

I stress "between" those two figures—

"for current expenditure, and between £125 million and £175 million for capital expenditure."—[*Official Report*, 2 November 1988; Vol. 139, c. *684*.]

He went on to give the costs of annual expenditure for collection as "between" £379 million and £435 million, rather than the £200 million that it costs to collect the rates.

How does the Minister conjure up the figure in the Bill of some £53 million? I think that it has been conjured out of the air. As my hon. Friend the Member for Perry Barr and the hon. Member for Truro (Mr. Taylor) have said, there are many flaws in the Price Waterhouse report and the way that it carried out its exercise, but even it did not give that exact figure.

Mr. Gummer: The figure is £53,057,231 because it was £55 million, but we have to take off the money that is destined for the rate-limited authorities. If it went in any

[Mr. Gummer]

other way, they would not get the money. We know precisely how much each of those will get, and if we take it away from £55 million, we are left with an exact figure. As to the £55 million, it is half the £110 million, because that is a specific grant to make sure that all authorities receive some money for distribution. The rest will be provision under the rate support grant. There is no difficulty about that.

As to the amount itself, it is true that it is within the range presented by Price Waterhouse, but if hon. Members do not like that, let me point out that it is more than the local authorities asked for. They can hardly object to that. Hon. Members suggested that the authorities knew best and it is clear that the Government have listened carefully to what has been said. Therefore, we have here a sensible proposal.

I am looking forward to the great detail of the debates about the community charge, because I shall be able to point out that 51 per cent. of households will be better off; that the poorest will be better off and that one in four of those who pay the poll tax will be helped. I use the term "poll tax" in this case because Opposition Members do not like using the term "community charge" as it reminds everybody that all of us will pay a bit towards the community services that are provided. Opposition Members like using the term "poll tax" for the simple reason that they do not want the public to know the truth about the community charge.

Therefore, I am looking forward to all those debates because in each one I shall be able to point out that for one Conservative tax, the Labour party proposes two taxes; for a sensible tax which makes sure that everybody pays a share and that those who need help will be helped, the Labour party wants two taxes, both of which would be extremely expensive to implement. Yes, I am looking forward enormously to those debates because every single one will show that the community charge is extremely sensible and that the more that people understand it, the more they will support it as they did in the Odsal by-election, which is what Opposition Members hate. That is why we will go on supporting the community charge.

11 pm

Mr. Rooker: I must make one comment on what the Minister has said, because it cannot be allowed to pass. The Minister must learn that households do not pay poll tax; people pay poll tax. He can juggle the figures for households as much as he likes, but the fact is that on his own Department's figures, 14 million adults live in the households that will gain under the poll tax, whereas 19 million adults live in the households that will lose.

Mr. Matthew Taylor: I am sorry to have to return to the point, but the Minister's response has illustrated his weakness on this matter. On every other issue that has been raised, the Minister has given us a reasoned argument, presented his case and answered the points that have been made. Although we may not have agreed with him, he has attempted to answer the points raised. However, on this occasion he has not attempted to do so and he has not justified the figures that he is writing into the legislation. He has not told us whether he honestly believes that there will be no evasion in a world in which there is no publicity at a local level and no training of the officers who are to put the system into existence. I cannot believe that he honestly believes the figures from Price Waterhouse. He has not answered our points, so I beg that he comes back to put his case to the House.

Mr. Gummer: Clearly, the hon. Gentleman has not been listening. I have answered directly. First, we asked an independent group to give us a figure, and we have accepted that. Secondly, we have taken a higher figure than the people who will implement the measure asked for. What better answer could there be to the questions that have been asked?

Question put, That the amendment be made:—

The Committee divided: Ayes 178, Noes 214.

Division No. 472] **[11.02 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Home Robertson, John
Howarth, George *(Knowsley N)*
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Janner, Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McKelvey, William
McLeish, Henry
McNamara, Kevin
McTaggart, Bob
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Martlew, Eric
Meacher, Michael
Meale, Alan

Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Robert N. Wareing and
Mrs. Llin Golding.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, John M *(Solihull)*
Thurnham, Peter
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wheeler, John
Widdecombe, Ann
Wolfson, Mark

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr. Tom Sackville.

Question accordingly negatived.

11.15 pm

Mr. O'Brien: I beg to move amendment No. 12, in page 15, line 19, leave out sub-paragraph (2) of paragraph 8.

The Chairman of Ways and Means (Mr. Harold Walker): With this, we may discuss the following amendments: No. 13, in page 15, line 21, after 'which', insert

'reflects the residual responsibilities of a local authority in relation to advanced further education and which—'.

No. 14, in page 15, line 28, leave out sub-paragraph (2) of paragraph 9.

Mr. O'Brien: This group of amendments refer to the formula in the Bill. Amendment No. 14 refers to schedule 2(9)(2), which deals with that part of the formula referred to as U. Will the Minister define U and explain its real purpose? If she can do so, it might help to speed up the proceedings.

Mr. Virginia Bottomley: This is a complicated group of amendments, and I hope that the House will bear with me as I explain the way in which T and U tie together. The adjustment for polytechnics, once they are funded by the Polytechnics and Colleges Funding Council, is given effect in the Bill by deducting the total contributions of local authorities to advanced further education pools in 1988-89, and adding back that expenditure—currently financed through the advanced further education pools —that will remain to be financed by local authorities in 1989-90. The deduction is referred to in the Bill as T and the continuing expenditure falling to local authorities as U.

The adjustment T, to which amendment No. 12 relates, is required to obtain estimates of local authorities' expenditure in 1988-89, excluding expenditure on advanced further education. The Bill specifies the deduction of T precisely by reference to figures sent by the Department of Education and Science in a letter to chief education officers in March 1988.

Amendments Nos. 13 and 14 relate to the specification of the addition U, and involve different considerations. The Bill sets out the principles that govern the calculation of U, but leaves the details to be specified in the forthcoming rate support grant report for England, which will help to clarify some other areas of uncertainty. Amendment No. 13 seeks to describe the purpose of the U factor, but although it is apparently helpful, it is both unnecessary and technically incorrect. It is intended that the U adjustment will allow for differences in the relative costs of courses such as science or the arts, on the same basis as we now allow for such variations.

Two options for such variations have been canvassed with local authority associations. The options are quite complex and take account of the very wide range of courses that will still be provided by local authorities. Amendment No. 14 would remove restrictions on the size of U. That is undesirable, even though in practice the amendment may have very little effect.

I am sorry not to have done full justice to the complexity of the subject. I hope that the forthcoming consultation paper will clarify certain other areas for the hon. Member for Normanton (Mr. O'Brien).

Mr. O'Brien: I am grateful to the Minister for her explanation, although it leaves some confusion about the U factor. Amendment No. 12 would remove from the Bill what appears to be an unnecessary provision, and I wish to question the Minister further. Schedule 2 sets out a formula to determine an authority's notional expenditure for 1989-90, on which its grant entitlement will be based.

As local authorities will no longer be responsible for advanced further education, an adjustment to their notional expenditure is therefore required equivalent to their current contribution to the advanced further education pools. That is factor T. The amount of the adjustment is that set out in the March letter, which is referred to in the Bill, from the Department of Education and Science to local authorities. Therefore, schedule 2(8)(2) appears to be a belt-and-braces provision. It states that there is no doubt as to the accuracy of the amounts stated in the DES letter and that no further revision of it shall affect the definition of T in the formula.

Although the Minister briefly referred to T in the formula, paragraph 8 highlights the possibility of further revisions to authorities' contributions to AFE pools. Therefore, what arrangements are to be made for compensating authorities whose eventual contributions to the AFE pool are higher than the T factor in the formula? If expenditure is higher than the formula, surely the local authorities involved should be compensated.

Amendments Nos. 13 and 14 ensure that the purpose of factor U—this is the unknown—are set out in the Bill, rather than left as an arbitrary element. The Minister referred to it as an arbitrary element. Opposition Members prefer the matter to be set out in more detail, as it can vary with different education authorities.

The purpose of leaving out sub-paragraph (2) of paragraph 9 is to discover the purpose of the upper limit of £3 million. Again, how is that limit arrived at, and what is its real purpose?

The reason for the amendments is that the formula in paragraph 4 is of crucial importance in determining the grant that individual authorities will receive in 1989-90. It is essential that they should be comprehensively compensated and subject to the normal process of judicial review, rather than the arbitrary letters which stand for such amounts as the Secretary of State may see fit.

Factor U appears in the formula for education authorities. Sub-paragraphs (4) and (5) of paragraph 4 of schedule 2 are believed to relate to that part of advanced further education for which education authorities will continue to be responsible when the Department of Education and Science takes over the running of the polytechnics in April 1989. Therefore, there is a division between the two Departments—the DES and the Department of the Environment.

There is nothing in the Bill to confirm that interpretation. As I pointed out, unlike TE, T and CC, the factor U is not defined. That is unsatisfactory. It does not do justice to the explanations that are being given, because as it stands, U can be almost any amount that the Secretary of State wishes it to be.

Although adding the words in the amendment would not materially affect the Secretary of State's intention, it would provide a feeling of greater security for local authorities. Similarly, we are given no reason why the amount should be no greater than £3 million. We should be given some explanation for the magical figure of £3 million. If it represents, say, the maximum amount of residual AFE by any local authority, why not define U in the appropriate manner? Looking at the Bill as it stands, no local authority could determine what its relevant amount will be in 1989-90. Therefore, it cannot guess how much grant it will get.

The Secretary of State should be made to explain why these numbers appear in the Bill. That was the first question that I put to the Minister, because I believe that if we had the information in the first instance it would save a good many more questions being asked in the form of our amendments. I hope that the Minister will attempt to fill in the blank spaces and give us some idea what the formula is about.

Mrs. Virginia Bottomley: I shall speak briefly, out of deference to hon. Members, including the hon. Member for Normanton (Mr. O'Brien).

Contributions to the advanced further education pools may subsequently vary from the amounts included in the letter of 29 March 1988 from the Department of Education and Science. It would, however, be wrong to revise our deduction in respect of contributions to advanced further education pools, as T as specified in the Bill is consistent with the reported expenditure underlying the determination of the relevant amount for 1988-89. Paragraph 8(2) is necessary to achieve the required certainty about T.

As hon. Members will readily agree—those of us who aim for a system of no taxation without comprehension, which my right hon. Friend would like, have been sorely tested—the options being considered are quite complex, and take account of the wide range of courses that will still be provided by local authorities. It would have been inappropriate to include the full details of such an adjustment in this Bill, but it is right that we should seek powers no wider than is strictly necessary. Paragraph 9(2) therefore places limits on the size of the adjustment U. Those limits, however, will allow us to adopt either of the options that have been discussed with the local authority associations. There will be further information in the forthcoming rate support grant settlement, which I hope will lead to more clarity.

Question put, That the amendment be made:

The Committee divided: Ayes 85, Noes 176.

Division No. 473] **[11.26 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Boateng, Paul
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Buckley, George J.
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Robin *(Livingston)*
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Fraser, John
Galbraith, Sam
Garrett, John *(Norwich South)*
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Henderson, Doug
Hinchliffe, David
Home Robertson, John
Howarth, George *(Knowsley N)*
Hughes, John *(Coventry NE)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kirkwood, Archy
Leadbitter, Ted
Lewis, Terry
Livingstone, Ken
Lofthouse, Geoffrey
McAvoy, Thomas
Mahon, Mrs Alice
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morley, Elliott
Mowlam, Marjorie
Nellist, Dave
O'Brien, William
O'Neill, Martin
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Robertson, George
Rooker, Jeff
Short, Clare
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Frank Cook.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Ashby, David
Aspinwall, Jack
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David

Raffan, Keith
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, John M *(Solihull)*
Thurnham, Peter
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wheeler, John
Widdecombe, Ann

Tellers for the Noes:
Mr. David Heathcoat-Amory and
Mr. Tom Sackville.

Question accordingly negatived.

Schedule 2 agreed to.

Clauses 4, 5, 6 and 7 ordered to stand part of the Bill.

New Clause 1

ADJUSTMENT OF BLOCK GRANT

'(1) In relation to the years beginning in 1987 and 1988 if it appears to the Secretary of State that the aggregate amount of block grant to which local authorities would be entitled in accordance with the Rate Support Grant Report or any supplementary report for the year differs from the aggregate amount available for that grant in that year he shall adjust the amount payable to each authority (whether by increasing or reducing it) so as to reconcile those aggregate amounts.

(2) An adjustment under this section may be made in accordance with principles applicable to all local authorities.

(3) Section 1(1) to (4) of the Rate Support Grants Act 1987 shall not have effect for the years beginning in 1987 and 1988.'.—*[Mr. Rooker.]*

Brought up, and read the First time.

Mr. Rooker: I beg to move, That the clause be read a Second time.

It may help hon. Members who have come late to this Committee to know that this is a Second Reading debate not just on the new clause but on the Bill. The consequence of the new clause would be the expenditure of £500 million, just as the consequence of the Bill would be to cut from local authorities £500 million that they could reasonably have expected to receive. I shall not repeat my Second Reading speech, although I have it here and I could be tempted——

Sir Peter Emery (Honiton): Circulate it.

Mr. Rooker: Perhaps I should do that.

I shall repeat a couple of points about the £500 million and then deal with an item that I did not mention on Second Reading. The thrust of the new clause is to require the Secretary of State to distribute all the block grant provided for in the rate support grant settlements. Hon. Members on both sides of the Committee and those in local government know that the House has approved rate support grant settlements.

The effect of the Bill is to reduce by £500 million the money that will be paid to local authorities. We think that that sum should be distributed to local government, and that is the thrust of the new clause. The evidence tells us that not all the £500 million would have been paid out and that there would have been a holdback, but, as I said on Second Reading, the local authorities have agreed to split the difference. They would settle for £250 million of the holdback being distributed to them in 1988-89. That is a firm proposal by the authorities to the Government, and it has not been met with a considered response.

The Government might respond to the new clause by saying that the powers under clause 1(9) permit the Secretary of State to distribute the additional grant, but that would be a discretionary act. The new clause would make the distribution mandatory. The Government have said, in effect, "This is rough justice. We have fixed a date. It will be tough for the losers but good luck for the gainers." It is alleged that the results of the rough justice in 1988-89 might be compensated for in 1989-90, for the Government have said that all the grant will be distributed in that year. That merely reinforces the local authority view that the Government had no intention in 1987-88 and 1988-89 of distributing the full amount of block grant that had been voted by Parliament to support local authorities. I emphasise that the £500 million has already been voted by the House. Authorities had a reasonable expectation that they would receive the money.

I said on Second Reading that this is not a party political matter when it comes to losers. In 1988-89, Conservative-controlled authorities stand to lose £134 million, Labour-controlled authorities £157 million, minor party-controlled authorities £4 million and independent authorities £3 million. The authorities that do not have an overall party control will lose the substantial sum of £210 million. The joint boards will lose £17 million. Those are the figures for one year, but the Bill applies to three years. On Second Reading, I concentrated in part of my speech —this would not have been realised by those who read the press reports the following day—on the effect of the Bill on the police authorities, which will be subject to substantial potential losses. I spoke of an overall loss of £18 million.

It may be said that we know what we mean, but not everyone will understand that the transport authorities come within the terms of the Bill.

Mr. Gummer: The hon. Gentleman referred on an earlier occasion to the sum that he claimed the police authorities would lose. He did not mention that they could gain that sum only by making savings that would amount to £30 million. I ask him to tell the House of the savings that the transport authorities would have to make if they were to gain the grant that he is now asking us to put into the system.

Mr. Rooker: To the best of my knowledge, none of the police authorities has been accused of engaging in creative accounting. No Minister has said that they have been doing what it is alleged that local authorities have been doing. Indeed, it is true that some authorities have engaged in what is described as creative accounting, but that is not illegal. Of course, that has upset Ministers, which in turn has caused their rigidity over the dates of 6 and 7 July.

I do not want to go back to the police, but the Northumbria police authority, which is one of those special authorities that one can identify, made representations late in September that, because of significant budget problems experienced by the authority in 1988-89, efforts were made to reduce the outturn expenditure in 1987-88, with the intention of increasing block grant entitlement and thereby securing a greater level of balances. That is important for bobbies on the beat in Northumbria. As a result of the savings achieved—because it did not fully realise what the Government were going to do—this

authority has lost approximately £400,000 in grant. I alluded to the fact that this authority stood to lose more than £400,000 and I could show exactly how that £400,000 was lost.

11.45 pm

I shall use my figures and, if the Minister does not like them, it is up to him to give figures to rebut them. Police authorities are adversely affected by the Bill, as indeed are the transport authorities. Not all of them are affected negatively, but I intend to concentrate on one that is especially affected negatively.

Mr. Gummer: I want to clear up what I believe is a mistake in the hon. Gentleman's mind. He talks about this £500 million, but in order to get that money it would mean considerable savings of £1·2 billion—savings which local authorities would not produce, have not produced and could not, in his view, produce, although I believe that they could. The hon. Gentleman suggested to the Committee that money was being taken from police authorities, but he never suggested how they would make a saving of £30 million in order to get that money. In fairness, he should explain that. If he does not want to do so for the police authorities, perhaps he could tell us how much, in aggregate, transport authorities would have to save to receive the extra grant that he says is being taken from them.

Mr. Rooker: All that intervention proves is what I said a few moments ago: the Government never intended that this money voted by Parliament should go to the authorities. The Minister is saying that it is impossible for them to save and cut their budgets to get any of the £500 million. I repeat that that £500 million is not new money. The House approved that that money should go to local authorities, whereas the Minister has just said that it will be impossible for them ever to receive it. Of course, they were never intended to receive it, but no Minister—not this Minister, because it was not his responsibility—ever had the guts to stand at the Dispatch Box and say that the holdback was not available. The House can approve what it likes for local government, but the £500 million was not available. That being so, local authorities would not have had any expectation of receiving the money. It is fine that the Minister's view is that it is impossible for them to get it, but all that shows is that the local authorities were right when they believed that the intention was for them to be short-changed.

I want to concentrate on the West Midlands transport authority. I make no apology for doing so, because it is the first time in today's proceedings that I have referred to the Birmingham area in which my constituency is situated. I regret that the authority leadership was not informed until about Thursday of last week, because of the communication problem which is caused by having joint boards where there are lead authorities for a function covering, in this case, seven different authorities.

Communication cannot be that good when Bills are introduced in the fag end of a parliamentary Session and rollercoastered through without proper scrutiny. I make no complaints about the West Midlands passenger transport authority, or the lead authority on transport in the West Midlands, but what I am faced with at present is the fact that, because of the Bill, the West Midlands passenger transport authority stands to lose £8·9 million in grant over three years. It is not all to be lost in one year, but over the period 1986-87, 1987-88 and 1988-89. It reasonably expected to receive that money. West Midlands is by far the biggest loser. I understand that the Greater Manchester authority will gain about £5 million.

Approximately 50 per cent. of the budget of the West Midlands transport authority is taken up by concessionary fares—£31 million covers concessionary fares for pensioners and approximately £5 million covers concessionary fares for schoolchildren. Therefore, £36 million out of a budget of £65 million is taken up by concessionary fares. In the West Midlands county area, not the regional area, 400,000 pensioners enjoy the benefit of concessionary fares. Because of the unexpected loss of grant, for which the authority has been unable to budget, and without the ability to change its planned budget—it cannot put up fares—it will be impossible to maintain the concessionary fare structure in the west midlands.

I am not familiar with Suffolk, but I suspect that pensioners in that region do not get concessionary fares.

Mr. Gummer: They do.

Mr. Rooker: Generally speaking, there are no concessionary fares for pensioners in the Tory shires. Such fares are mostly available in the big cities only, and they represent a basic difference between Labour and Conservative control. I am pleased that such a progressive move has been taken in Suffolk and I can only assume that there is no overall control of that authority.

Mr. Gummer: It is strongly Conservative.

Mr. Rooker: Well, that is fine.

Why is the Minister introducing a Bill that will deprive my constituents and those of my colleagues who represent the west midlands of their free bus passes? It cannot be denied that, when the Secretary of State began to legislate on transport, we always said that concessionary fares were at risk. We said that, under the new transport regime, it would be impossible for an authority to maintain concessionary fares. We were told that it would be okay, and that we were running scare stories. If so, why has the West Midlands authority been singled out? No other transport authority has been affected in this way.

It is not a scare story to say that pensioners could potentially suffer. I am not saying that such fares will be abolished; their provision could be cut in half, such fares could operate one day a week or in the mornings only. There are enough bureaucratic restrictions on bus passes as it is. They were introduced in Birmingham some 30 years ago in the teeth of opposition from the then Conservative Government—Birmingham pioneered concessionary fares for pensioners.

There are pensioner Members of this House who use their passes on London Transport and, of course, they receive salaries. They are the very people whom the Chancellor is after with his new-found desire to target any concession received by a pensioner that is not already means-tested. In the west midlands, in common with elsewhere, those fares are not means-tested. As such, they are easy prey for the Government.

It would be unacceptable if there were any move against concessionary fares in the west midlands, whether by cutting the hours or reducing the days on which they operate. It must be said that such a move would not be the fault of the West Midlands passenger transport authority,

[Mr. Rooker]

West Midlands Travel, or of any of the seven metropolitan district councils in the west midlands. The fault lies with the Bill and the Tory Government.

Mr. Gummer: The fact is that, if the West Midlands passenger transport authority had produced a budget at the correct level in the first place, it would have lost nothing. Indeed, if all authorities had produced in the first place the budgets that they should have produced, all £500 million would have been available to them, but the hon. Member for Birmingham, Perry Barr (Mr. Rooker) tried to suggest that there might be a means whereby, in the past few weeks, by adjustments of one sort or another, by changing the date or something similar, and not having produced sensible budgets or returned sensible estimates to the Department of the Environment, the £500 million could have been saved. The hon. Gentleman has been rumbled. If he had not moved the new clause, he would not have been rumbled so clearly.

In the debate last Monday, the hon. Gentleman said that, for example, Bradford would have been able to get a considerable extra amount—£3·7 million of grant. He did not mention that the only way in which the council could so so was if it could budget for a £20 million cut in its expenditure. That would have been possible and the council could have done that sensibly if it had budgeted sensibly in previous years and, indeed, in the budget for this year. But the hon. Gentleman suggested that the council could have made that difference in the few weeks over the edge of the date that we were talking about. Therefore, the hon. Gentleman applied hypothetical figures to a hypothetical situation and produced a wrong answer.

Today the hon. Gentleman is saying that, if there are any cuts in the services provided by the West Midlands passenger transport authority—he admits that others will not be in that position—people must blame the Bill. That is not so. They must blame the poor budgeting of that transport authority. If it had run the services according to needs, it would have been able to obtain the maximum grant and not lose any grant.

The hon. Gentleman cannot now say that, although the people have not made the savings and did not have the savings in the budget, and although they did not try to do what they were supposed to do, they must now have the money as well. We know why the hon. Gentleman says that. It is because his answer to everything is more money. But who pays? Many of the very pensioners whom the hon. Gentleman wants to have the concessionary fares; many of the people who are asked to pay rates and taxes are poorer than some of those who have the concessionary fares. Sometimes it is worth remembering that those fares are spread across a large number of people, distinguished from the rest of the population merely by their age. But that was decided by many of the hon. Gentleman's friends, and no doubt some of my friends take the same view. It is a reasonable decision, but they cannot say that it is the Bill's fault rather than that of the authority's budgeting.

In the new clause, the hon. Gentleman shows that he wants to insist that authorities which, through lack of prudent budgeting, were not able to see the savings come through earlier, should somehow still get the taxpayers' money that they could have got, had they budgeted from the beginning, and kept to that budget in the way that the Government propose.

Mr. Terry Davis (Birmingham, Hodge Hill): Will the Minister give way?

Mr. Gummer: I shall give way in a second, although the hon. Member—*[Interruption.]*—has not been here during our debates.

I say to the hon. Member for Perry Barr that that was not a proper way in which to end the debate. If one looks at the overall settlement, at the supplementary figures, which are now being discussed, and at the 9 per cent. increase in the grant that will be available in future, one sees that there is no question of the taxpayer or the Treasury making a profit. I remain convinced of that. It would not be proper for us to pay local authorities sums that they have not earned by sensible budgeting.

Mr. Terry Davis: I thought that the Minister referred to the hon. Member for Bromsgrove. I have no idea whether the hon. Member for Bromsgrove (Sir H. Miller) has been present during the debate. I do not represent Bromsgrove; I represent part of Birmingham. Does the right hon. Gentleman accept that hon. Members are entitled to come to debates on clauses that interest them?

I have been in the Chamber throughout the debate on the new clause. It interests me very much because, like my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), I represent part of the west midlands and my constituents will be affected if the West Midlands passenger transport authority loses £8·9 million as a result of the Bill. The Minister told us that the West Midlands PTA would lose that money only because it has not engaged in what he described as prudent budgeting and has failed to put forward a sensible budget. In the Minister's view, what would have been a sensible budget for the West Midlands PTA to adopt, in order not to lose the £8·9 million?

12 midnight

Mr. Gummer: That is a decision for the PTA. All I am saying is that it did not put forward a budget which would result in the accretion of grant that it wanted. It decided that it did not want to do it that way. That was a perfectly reasonable thing for the PTA to do. However, it cannot now turn round and say that it wants that sum of money irrespective of the fact that it has not met the requirements for it.

I did not mention Bromsgrove. I am perfectly well aware that the hon. Member for Birmingham, Hodge Hill (Mr. Davis) is not the hon. Member for Bromsgrove. He was once, and he lost the seat. The hon. Member for Hodge Hill might consider it very interesting that in this debate the only people who have discussed the figures are the hon. Members who represent the one passenger transport authority which loses by the date under discussion. Earlier, Opposition Members suggested other dates. However, I must state that other PTAs gain by the date. The date cannot be construed as an attack on PTAs in general or on concessionary fares.

The new clause is not a suitable way of asking the taxpayer to foot a bill which he would not be able to foot except where local authorities had met the requirements

that were perfectly clear at the beginning of the year. The West Midlands PTA decided in its wisdom not to meet those requirements.

Mr. Tony Banks (Newham, North-West): I heard the Minister say that the local authorities were losing money because they had not made realistic budgets. That is unfair. I had hoped that we would hear answers during the debate on new clause 1 to the points raised on Second Reading, when we explained that many authorities were losing out badly because of the dates.

It is not good enough for the Minister to say that the authorities did not get their figures in on time or that in his opinion the budgets were unrealistic and therefore it is just tough luck on those authorities. The Minister must know —although he was not personally responsible—that the Department of the Environment has changed the rules, regulations and dates continually.

It has been impossible for many years for local authorities to have budgets that they can present in an orderly fashion to elected members and then ensure that they applied for the budgetary year in question. It is not surprising that at the end of a particular financial year a local authority would look at its budgetary outturn and discover that it was different from the estimates. Therefore authorities have always been able to come back to the Government and point that out. Now, with a set date of 6 July, a number of authorities will lose very badly, and I explained to the Parliamentary Under-Secretary of State on Second Reading that that was not fair.

My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) referred to the West Midlands passenger travel authority. A number of other authorities will lose out badly because of the date that has been set by the Government. I refer once more to the examples that I quoted on Second Reading of Greenwich, Southwark and Brent. I will not go through all the facts again, but I hope that the Minister will respond as he did to the points made by my hon. Friend the Member for Perry Barr about the police authorities, and consider the London authorities.

Greenwich approved its account for 1986-87 on 6 July, but did not notify the Department of the Environment. The DOE assumed that Greenwich spent £102 million when it actually spent only £93 million, which means that the council will lose £1·2 million in grant. I do not know whether the Minister thinks that local authorities that do not fulfil all the provisions of their budgets by an arbitrary date are at fault. If he approaches the matter like that, where is the order in financial accounting for local authorities? How can they possibly budget sensibly under such conditions?

As I said to the Minister on Second Reading, he should be prepared to look sympathetically at local authorities that will clearly lose under the provisions of the Bill. I understand, but perhaps the Minister will tell me if I am wrong, that local authorities made representations to the Secretary of State to the effect that, since they will not be able to recoup grant holdback by reducing expenditure, £250 million of the holdback in 1988-89 should be distributed. Has the Secretary of State seriously considered the proposals put forward? If he has not, the local authorities were wasting their time in putting them forward. There is not much point in us trying to make a case if the Secretary of State does not listen.

The Minister must know, even in the short time that he has been responsible for the Bill, that there will be some injustices. New clause 1 at least gives him an opportunity to redress some of those. I hope that even at this late stage he will be prepared to change his mind.

Mr. Rooker: Obviously, the Minister has a closed mind. I repeat that Parliament has approved the money, so it is not a question of money having to be raised from taxpayers. Parliament has already approved the rate support grant settlement. Prior to 1987-88, all the block grant money was paid out. New clause 1 seeks to introduce what was known as grant recycling. It is only in 1987-88 and 1988-89 that the Government have separated the block grant so that there is a provision in the settlement in the main year of £9·471 billion. The amount that they distributed on the basis of the estimates was £8,960 billion, leaving grant held back by the Treasury or the Department of £511 million. Until two years ago, in the normal course of events that would have been recycled.

All we are saying is that the new clause is justified on the grounds that the authorities will not be able to recoup some or all of the grant holdback by reducing the expenditure that would normally feed through into the grant calculations. That was what normally happened, but the process is no longer available to the authorities. Anyone would think, to hear the Government, that local authorities keep overspending on their estimates, but that is not true. In 1984-85, the actual expenditure of local authorities was £98 million lower than estimated. In 1985-86, the expenditure was £431 million lower than estimated and in 1986-87 it was £285 million lower than estimated.

Local authorities can justifiably claim a long run of years during which the actual outturn, which is never known until the end of the year, was lower than the estimated expenditure. All that the authorities want is credit for that.

I repeat what I said about the West Midlands passenger transport authority. Given the way that the Bill was brought in, the announcement in July and the rigidity with which Ministers have acted, it is clear that they have not been prepared to countenance any change in the Bill. Clearly the Bill has not been scrutinised as it would have been in a Committee upstairs. Earlier in the debate, the Minister let the cat out of the bag. Quite clearly, it was never intended that the £500 million should go to local authorities, police authorities or transport authorities. It is clearly going to go back to the Treasury, which is what was intended in the first place.

Question put, That the clause be read a Second time:—

The Committee divided: Ayes 59, Noes 155.

Division No. 474] **[12.09 am**

AYES

Banks, Tony *(Newham NW)*	Davis, Terry *(B'ham Hodge H'l)*
Barnes, Harry *(Derbyshire NE)*	Dixon, Don
Beckett, Margaret	Evans, John *(St Helens N)*
Beith, A. J.	Faulds, Andrew
Bennett, A. F. *(D'nt'n & R'dish)*	Foster, Derek
Bradley, Keith	Galbraith, Sam
Brown, Ron *(Edinburgh Leith)*	Golding, Mrs Llin
Buckley, George J.	Gordon, Mildred
Campbell, Menzies *(Fife NE)*	Henderson, Doug
Clay, Bob	Howarth, George *(Knowsley N)*
Clelland, David	Hughes, John *(Coventry NE)*
Cohen, Harry	Hughes, Sean *(Knowsley S)*
Cryer, Bob	Hughes, Simon *(Southwark)*
Cunliffe, Lawrence	Kirkwood, Archy
Cunningham, Dr John	Leadbitter, Ted
Davies, Ron *(Caerphilly)*	Lewis, Terry

Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loftnouse, Geoffrey
McAvoy, Thomas
Mahon, Mrs Alice
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mowlam, Marjorie
Nellist, Dave
O'Brien, William
O'Neill, Martin
Pike, Peter L.
Primarolo, Dawn
Redmond, Martin
Rooker, Jeff
Short, Clare
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wall, Pat
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Frank Cook.

NOES

Alexander, Richard
Allison, Rt Hon Michael
Amess, David
Amos, Alan
Ashby, David
Aspinwall, Jack
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fairbairn, Sir Nicholas
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gow, Ian
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, David *(Hants NW)*
Moate, Roger
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Renton, Tim
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Thurnham, Peter
Waddington, Rt Hon David
Wheeler, John
Widdecombe, Ann

Tellers for the Noes:
Mr. Michael Fallon and
Mr. John Taylor.

Question accordingly negatived.

Bill reported, without amendment.

Motion made, and Question proposed, That the Bill be now read the Third time.

12.21 am

Mr. Tony Banks: I am glad to have caught your eye, Mr. Deputy Speaker. There was not a great deal of competition on this occasion, but I believe that it is necessary to keep Ministers here as they probably do not have anything more useful to do than listen to my speech.

It is a great pity that, despite our attempts in Committee to persuade the Minister to accept our amendments, he remained implacable and refused to see the justice of our case. He must know that a great deal of injustice will come about as a result of the Bill, that arbitrary dates have been set and that some local authorities will gain a great deal, although we have not made great play of that tonight. It is a case of good luck to those who gain, but we are most concerned with those who, unfortunately, lose. In local government, resources are hard to come by and if any authority loses, that must be a matter of regret for Opposition Members. A number of local authorities in Greater London are losing. Greenwich, Southwark and Brent, all of which I mentioned on Second Reading and on Report, will lose as a result of the Bill.

As the Minister has not seen fit to change his mind or the terms of the Bill, in the light of our amendments, our opposition on Second Reading should be sustained on Third Reading. We are all a little older and Conservative Members are none the wiser. A Bill that we opposed on Second Reading has simply moved nearer the statute book and, therefore—I am sure that Opposition Front Bench Members agree with me on this occasion—we must oppose the Bill on Third Reading.

The Government argue that the Bill paves the way for the poll tax. It does so by breaking the link between grant and expenditure and, in the process, ends resource equalisation. It starts the process whereby the Government believe that no authority is any richer or any poorer than any other authority. The Bill changes the rules retrospectively, as we have always maintained. Many authorities will suffer grant losses as a result through no fault of their own, merely because, once again, the Government have changed the rules.

I do not know whether the Minister has any local government experience. Perhaps he could indicate by moving some part of his body; any part will do, preferably

his head. I take it, to judge by his somnambulant position, that he is either dead or has never served in local government——

Mr. Gummer: I had the pleasure of serving on the Inner London education authority.

Mr. Banks: I am sure that it was not a pleasure for the Minister, or for the teachers, pupils and others in the authority.

Let us assume that the Minister did sterling service when he was on ILEA. That must have been many years ago, when central Government did not interfere in the affairs of local authorities in the way in which this Government have done since 1979, since when interference has escalated. I had hoped for a response from the Minister to the point I made when discussing new clause 1, which was that these days it is virtually impossible for any borough treasurer or finance director to produce the sort of budget that council members—or the Department of the Environment, come to that—would want to receive. Expenditure after a budget has been set can never be forecast because of the rule changes that the Government keep introducing. Interest rates, regulations passed in this place and other factors combine to make certainty impossible.

In these circumstances, it is unrealistic of the Minister to blame local authorities for not being able to keep to budgets agreed at the beginning of the year. The Minister knows that that is unrealistic, yet he has worked on that assumption throughout proceedings on the Bill, which seems grossly unfair.

The Bill contains discretionary powers that the Minister may exercise, so I repeat the case even at this late stage: some local authorities, through no fault of their own, will lose badly under the Bill. The penalty for that will be paid by ratepayers. This is typical of the arrogant way in which the Government treat local authorities.

Collective and individual grant penalties will remain in place, even if no longer justified—[HON. MEMBERS: "Reading."] At least I can still read at this late stage—a facility which I doubt whether many Conservative Members could exercise.

Grant calculation for 1989-90 will be arbitrary and based on no principle apart from the need to prevent the Government from losing court cases.

The Bill is as bad as it was on Second Reading. The Minister refused to accept our reasoned amendments. I urge all my hon. Friends to vote against Third Reading.

12.28 am

Mr. Pike: Having sat through most of the debates last Monday and today, I believe that there is general recognition of the need for some sort of Bill to take us through the transitional period from the old rate support grant to the new poll tax. We oppose the new tax, but accept the need for a transitional arrangement.

I shall vote against Third Reading because I wholly oppose the Government's handling of the Bill. There was no reason for pushing it through at the end of this parliamentary Session. It was quite wrong of the Government to do that. Legislating in unnecessary haste often causes mistakes. There was no need for this Bill at this time. It could have been presented and debated in the proper manner at the start of the new Session, when all the relevant factors could have been discussed.

Opening the debate last Monday, the Minister said that this may not be the best way forward or the best solution to our problems, but that the Government thought it the right one. He also accepted that the Bill involved rough justice. But rough justice is indefensible: we need a Bill that is fair, and seen to be fair.

There may well be faults with the Bill. We recognise that the Government will use their majority to force through the Third Reading, but if there are faults the Government will have to return to the House during the next Session with different proposals.

The track record of the Secretary of State for the Environment shows how often he is wrong. It was the same when he was Secretary of State for Transport. Time and again he had to return to the House with retrospective legislation, often because he had been proved wrong in the courts. The Government may have to admit that they have made mistakes in the Bill and that they were wrong to push it through at this late stage.

We could have dealt with the Bill in a few weeks and made sure that everything in it provided a proper protection for local government. Like my hon. Friends, I still believe in local government—unlike Conservative Members, who want only to kill and knock nails in the coffin of local government.

12.31 am

Mr. Frank Haynes (Ashfield): I want to speak on Third Reading—[HON. MEMBERS: "Oh no."] You will be aware, Mr. Deputy Speaker, that I have been in the Chamber for most of the debate, although for most of that time I was on duty and did not have the opportunity to say a few words. I shall be brief—*[Interruption.]* This is not a filibuster.

My hon. Friends the Members for Newham, North-West (Mr. Banks) and for Burnley (Mr. Pike) made true statements about this unfair Bill. Indeed, there have been many unfair Bills since this Government took office. The Bill does not allow local authorities to represent the people in their areas and to provide the necessary services. There are to be yet more cuts in local government.

I heard the Minister talking about the Bradford Conservatives and what they will do in future. They have set out their stall. The Minister is a loser—

Mr. Patnick: A what?

Mr. Haynes: He is a loser. He came to Nottingham last week during the by-election—

Mr. Tony Banks: Tell us what happened.

Mr. Haynes: I will. It was a Tory seat, but on Thursday we won it and took control of the city council. We will right many of the wrongs done by the Tories. The Nottingham Tories intended to do the same as the Bradford Tories.

Mr. Banks: I congratulate my hon. Friend on the Nottingham result, which is wonderful news and, no doubt, is the prelude to much good news.

Is my hon. Friend aware that just over a week ago in the London borough of Newham the Labour party again won two by-elections? The council has now returned to having 59 Labour councillors and one Democrat. It is a Tory-free zone.

Mr. Deputy Speaker (Mr. Harold Walker): Order. Let us get back to the Third Reading of the Bill.

Mr. Haynes: I am speaking to the Bill, Mr. Deputy Speaker. That comment was made by my hon. Friend the Member for Newham, North-West.

Things are changing. There is a clear sign in Nottingham and Newham that the people realise what is going on. There is no doubt that Govan will prove another point. *[Interruption.]* The Minister is laughing. Last Thursday, we knocked the grin off his face, and we shall continue to do it time and again until the next general election, when the people of this country realise what the Government have done to local government. They have done it to my local authority, too. My local authority is fair. It tries to provide the proper services for the people it represents. But, by cutting back, that lot deny local government the right to provide proper services.

The other day, I told the Minister that we lose finance every time there is a pit closure. I do not care what he may say at the Dispatch Box. We are losing money because of the Government's policies. I blame the Chief Whip, too. I shall drag him into the argument, because he makes sure that his Tory colleagues are present to vote for the Government's policies. Why does he not let his colleagues go home if they wish to, so that we can win now and again? *[Interruption.]* I am conscious of the time. There is a fight on television at a quarter to 4.

Mr. Nicholas Baker (Dorset, North): Hear, hear.

Mr. Haynes: The hon. Gentleman says, "Hear, hear." He told me that the fight was over in the fourth round, but it has not been held yet. However, the fight is on at a quarter to 4, and I aim to see it.

The important point is that the message is getting across to the people loud and clear. The Government have to go. They will go at the next general election. They can take the grins off their faces. Their grins will be knocked off. I say that quite sincerely. The Government's policies, particularly in relation to local government, are denying elected representatives the freedom to do the right thing on behalf of the people. The Government are cutting finance here, there and everywhere. They pour money into the pockets of the Tory rich. Tory local authorities look after Tory boroughs, but they do not look after Labour-controlled boroughs.

The Secretary of State makes me sick when he seriously criticises Labour-controlled local authorities. They are doing the right thing on behalf of the people. That lot are denying Opposition Members the right to do the right thing, and look after the people who need services.

I heard several of my hon. Friends talk about elderly people's homes in local authority areas. We in Labour-controlled local authorities are providing a first-class service for those who need it, particularly the elderly. They have made their contribution, and we should look after them properly. But the Chancellor of the Exchequer denies them their rights. *[Interruption.]* Conservative Members can laugh. I shall sit down in a minute. Those who are youngsters will be elderly one day. I am not far from retirement. You and I will draw the old-age pension, Mr. Deputy Speaker. I know that I am a little older than you. It is all right; do not get worried about it.

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will speak for himself and will not presume my future.

Mr. Haynes: I shall withdraw the comment about your future, Mr. Deputy Speaker, and stick to my own. But one or two more hon. Members—on the Conservative Benches as well—are coming up to retirement age, and they are going to enjoy that pension. I want to remind that lot over there that I paid for it, and so did the people who were being denied when the Chancellor stood at the Dispatch Box today. Those people bought their pensions, and the Chancellor should be coming to the Dispatch Box and doing right by them.

The elderly people of this nation have been through two wars, and they worked very hard in heavy industry, particularly the industry that I came from, the mining industry.

Mr. Deputy Speaker: Order. None of this seems to have much relevance to the Rate Support Grant Bill.

Mr. Haynes: With respect, Mr. Deputy Speaker, we are providing services in the community for elderly people, or are supposed to be. I am only adding a bit more about the Chancellor's denial of them at the Dispatch Box, and the way that the motley crew who sit on the Treasury Bench come to the Dispatch Box every now and again denying this, that and the other.

I am speaking on behalf of the people in my constituency, and my hon. Friends have been doing the same. But we did not hear a great deal of that from the other side of the Chamber. All that Conservative Members were doing was supporting the Minister. He was given a lesson or two upstairs when he was in the Department of Employment. I gave him one or two biblical lessons, which was a bit strange to him as a Member of the Synod. I tried very hard. The Minister has been given a lesson or two on the environment and a lesson or two on employment, and will continue to have lessons, but he does not listen. He ignores what he is told and ploughs on in his own sweet way, denying people their rights.

I am standing here asking for those rights, particularly for the people in the very low-income groups who really need it. The right hon. Gentleman stands at the Dispatch Box saying that they are the people he is going to help, but he and the other Ministers are denying them their rights to benefits and services.

Mr. Skinner: My hon. Friend is doing exceptionally well, but I remind him that the fight is on at a quarter to 4.

Question put, That the Bill be read the Third time.

The House divided: Ayes 142, Noes 46.

Division No. 475] **[12.42 am**

AYES

Alexander, Richard	Bonsor, Sir Nicholas
Allison, Rt Hon Michael	Boswell, Tim
Amess, David	Bottomley, Peter
Ancram, Alan	Bottomley, Mrs Virginia
Arnold, Tom *(Hazel Grove)*	Bowden, Gerald *(Dulwich)*
Ashby, David	Bowis, John
Baker, Nicholas *(Dorset N)*	Brazier, Julian
Baldry, Tony	Bright, Graham
Batiste, Spencer	Brooke, Rt Hon Peter
Beaumont-Dark, Anthony	Burns, Simon
Bennett, Nicholas *(Pembroke)*	Burt, Alistair
Bevan, David Gilroy	Butterfill, John
Blackburn, Dr John G.	Carlisle, Kenneth *(Lincoln)*

Carrington, Matthew
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Crah, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Lawrence, Ivan
Lester, Jim *(Broxtowe)*
Lord, Michael
Lyell, Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, David *(Hants NW)*
Moate, Roger
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Thurnham, Peter
Waddington, Rt Hon David
Wheeler, John
Widdecombe, Ann

Tellers for the Ayes:
Mr. John Taylor and
Mr. Michael Fallon.

NOES

Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Clay, Bob
Clelland, David
Cohen, Harry
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Evans, John *(St Helens N)*
Foster, Derek
Golding, Mrs Llin
Henderson, Doug
Hughes, John *(Coventry NE)*
Hughes, Simon *(Southwark)*
Kirkwood, Archy
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAvoy, Thomas
Mahon, Mrs Alice
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
O'Brien, William
O'Neill, Martin
Pike, Peter L.
Primarolo, Dawn
Redmond, Martin
Rooker, Jeff
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Taylor, Matthew *(Truro)*
Turner, Dennis
Wall, Pat
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Frank Cook.

Question accordingly agreed to.
Bill read the Third time, and passed.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

URBAN DEVELOPMENT

That the Liverpool and Wirral Urban Development Area Order 1988, a copy of which was laid before this House on 12th July 1988, be approved.—*[Mr. Dorrell.]*

SHERIFF COURT (SCOTLAND)

That the draft Small Claims (Scotland) Order 1988, which was laid before this House on 12th July 1988, be approved.

That the draft Sheriff Courts (Scotland) Act 1971 (Privative Jurisdiction and Summary Cause) Order 1988, which was laid before this House on 12th July 1988, be approved.—*[Mr. Dorrell.]*

Question agreed to.

Maternity Services (Derbyshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dorrell.]*

12.53 am

Mr. Patrick McLoughlin (Derbyshire, West): In a previous Adjournment debate, I had the opportunity to talk about the future of two schools about which my hon. Friend the Minister and I felt strongly—Ecclesbourne school and the John Port school in my hon. Friend's constituency. We were successful in saving the sixth forms of those schools, and I hope that I am as successful tonight.

There has been much discussion of the maternity services of Ashbourne and Belper as provided by the Chevin unit at Babington hospital. I know that my hon. and learned Friend the Member for Burton (Mr. Lawrence) has told my hon. Friend the Minister of his wish to contribute to the debate, and I can say that I am speaking this morning with the full support of my hon. Friend the Member for Staffordshire, Moorlands (Mr. Knox), who shares the concern that is felt about the future of the Ashbourne maternity unit.

It would be wrong to assume that the unit serves only Ashbourne. Instead, it serves a wide area around Ashbourne, part of which extends across the border into Staffordshire. The unit is a highly valued part of the community, as is borne out by the massive public response against the health authority's proposals. The protests that I have received have been concerned mainly with geographical and practical considerations, for the unit is about 15 miles from Derby. That may not sound a great distance, but in the winter it would be difficult for many to travel to Derby. The health authority has referred to average journey times in some of the documentation which it has issued. It has accepted the times of 82 minutes from Mayfield and 74 minutes from Ashbourne to the city hospital at Derby.

I am concerned about the way in which the health authority's proposals have been introduced. It is intended temporarily to close the unit, or units, on 18 December. That is outrageous and disgraceful. It pre-empts any decision that my right hon. and learned Friend the Secretary of State for Health may make. I cannot see my right hon. and learned Friend overturning the authority's decisions following its decision to redeploy staff. The authority should wait until my right hon. and learned Friend has announced his decision on its proposals.

There is no doubt that the authority faces a financial problem, and part of it is set out in the consultation document. Part of the document states:

"There are a number of possible risks facing the Authority which would make the position described above worse. First, it is possible that we shall have to provide funds to meet the cost of some pay awards."

We know now that that is not the position.

"Second, it is already apparent that the increase in Local Authority rates for 1988/89 is greater than 4·5 per cent., which is the figure that the Authority has available to fund it, and this will increase the financial problems of the Authority by £234,000."

As my hon. Friend the Minister is well aware, my constituents and I live in the highest rated shire county in Britain. There is no doubt that that rating has added to some of the problems that have confronted the health authority.

I am speaking of a unit that is entirely separate from other hospitals. There is another hospital in Ashbourne —St. Oswald's—to which it was planned to move the unit early in the 1990s. I welcome that plan. It is right that the unit should be moved there. The move would make St. Oswald's more of a community hospital. At present, it cares mainly for the elderly and undertakes the tasks of a small minor casualty unit. If it were possible to take the maternity unit and put it on the site of St. Oswald's, I believe that would greatly help the area and greatly improve the local facilities. The health authority could then sell the land on which the Ashbourne maternity unit is situated, and thus raise a considerable capital asset.

I notice that in its consultation documents it talks about this unit along with a plan for the closure of other maternity units, and it says that it expects the sale of the units to raise some £200,000. I believe that it is erring on the gravest possible side of caution, as the Ashbourne site alone is likely to fetch more than £200,000. Therefore, the health authority will have capital available to improve some of the facilities at St. Oswald's, which I believe is vital.

A short while ago, I visited Derby city hospital and I would like to place on the record a few facts about that hospital. It has come in for some criticism from various sources, but I can only say that I was tremendously impressed with what the City hospital has to offer. Nobody can argue that it does other than hold all the facilities that a high-tech birth requires. I saw babies in the hospital who had been born at 24 weeks, and the care that can be given to those babies at that hospital is unbelievable. No one is saying, or has ever said, that that sort of facility can be offered at St. Oswald's. What the people in Ashbourne are saying is that, a week before Christmas, before the worst of the winter and before the Secretary of State's approval is the wrong time to close the unit.

Not so long ago my hon. Friend the Under-Secretary was kind enough to come to my constituency and participate in "Any Questions". My hon. Friend knows the sincere feelings of parents in that area. She has said that quite often we manage to get along with the procedure without going to Ministers, and that we usually carry people along when we talk about changes. If the health authority proposed a proposal to move the maternity unit up to St. Oswald's, my hon. Friend would have local agreement, my full support, and the health authority—as it obviously is not my hon. Friend's decision—would have my full support. That is what we are anxious to see happen.

A number of aspects worry us, such as the likelihood of an increase in home confinements, which is confirmed by the health authority's documents. One matter that especially worries me is that it does not say in its documents that it is closing the maternity unit and taking it to Derby to improve the maternity service, but the reason given is that the closure should take place on financial grounds. I find that difficult to accept, because, although the health authority has listed the savings that it believes will be made, it does not make any allowances for any increase in the ambulance service, and at present it is saying that all that would be needed is 1·32 full-time community midwives. At the end of the day, I do not believe that that will prove sufficient.

I should like Trent regional health authority to ask the district health authority to conduct a special review of

health care in the Ashbourne area in relation to the position of St. Oswald's in the community. St. Oswald's is a community hospital; let us see it used and become more a part of the community than it is at present. Let us see the leagues of friends from the maternity unit and St. Oswald's making a positive contribution to a community hospital in the Ashbourne area. I think that that would get a lot of support.

I plead with the Minister, and through her with the Southern Derbyshire district health authority, not to make the closures until adequate provision has been made or until the need for provision has been assessed and the Secretary of State is sure that the closures should go ahead.

The consultation paper about Ashbourne, which was published by the health authority, discusses selling off the unit, but it also says that, presently,

"It is not intended to dispose of the site".

I am particularly concerned by such words.

In southern Derbyshire, we have a great deal of new hospital accommodation, but we also have a lot of old accommodation. That accommodation is a liability on the health authority and it is leading to many of the authority's present financial problems.

Babington hospital is based in Belper. It is a valued local facility and the Chevin maternity unit serves a number of surrounding districts, including Crich. The average journey time from Crich to the new city hospital will be 100 minutes.

The Parliamentary Under-Secretary of State for Health (Mrs. Edwina Currie): That is not so.

Mr. McLoughlin: My hon. Friend disagrees, but that figure was derived from the Southern Derbyshire health authority's public transport access arrangements; it is not my figure. The return fare will be £4·68. The journey time would not be as important if the journey was made once, but what about the husband who wants to visit his wife a number of times so that she does not feel isolated in the city hospital?

With the Ashbourne facility, the health authority knows that it has a unit to close, which it can sell to make a capital gain. That is not the case with the Chevin maternity unit, which is part of the Babington hospital, which mainly cares for the elderly. I want such hospitals to be part of the community rather than serving an isolated sector of it—the elderly. They should offer a range of patient care. That is why I wanted to bring this matter to my hon. Friend's attention.

Although the health authority may have the power within the rules to press ahead with the closures on 18 December, I do not think that that is right. I believe that that cuts short the political process that allows representations to be made at the highest level, and I believe that that is wrong.

I urge the health authority to reverse its action and not to go ahead with the closures until it has had the agreement of the Secretary of State. The health authority should go one step further and reach a consensus so that the Secretary of State does not have to make a decision. We should make a local decision about the hospitals rather than ask the Secretary to the State to make it.

1.9 am

Mr. Ivan Lawrence (Burton) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Does the hon. and learned Gentleman have the consent of both the Minister and the hon. Member for Derbyshire, West (Mr. McLoughlin)?

Mr. Lawrence: Yes. I am grateful for the opportunity to intervene in the debate.

Although Ashbourne maternity home is not in my constituency, I have to tell my hon. Friend the Minister that there is very strong feeling against the closure in east Staffordshire, for that home, with such an excellent reputation, serves many of my constituents. They have written to me from Ramshorn, Mayfield, Uttoxeter, Leigh, Bramshall, Ellastone, Marchington, Denstone and Rocester. The South-East Staffordshire community health council has received over 100 letters from members of the general public in my constituency, all opposing the closure. It has received representations, as I have, from the women's institutes, local doctors and local midwives.

Of course the removal of a local facility always produces an adverse response, but the proposal is particularly galling and unnecessary. When Leek and Wirksworth maternity homes were closed in recent years, the argument for their closure was that Ashbourne maternity home would provide the services that had been closed down in those villages. When the snows pile up and the roads of south Derbyshire become treacherous in the winter, as they do almost year upon year, mothers and visitors will have to make a road trip of 35 to 40 miles because there are no maternity facilities in Uttoxeter.

Undoubtedly, new facilities at Derby city hospital will be of the highest standard, but what consolation will that be for mothers who have a rapid labour and have the risk and misery of worrying about the delivery while they make the long journey to Derby on winter roads? What about those of my constituents who have no access to private transport, when public transport is not always available just when a baby is about to be born or the mother is in distress?

My hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) has made an excellent case. He is a great example of a caring Member of Parliament working at his best. He has my full support. He also deserves the support of my hon. Friend the Minister who is, as she well knows, my own Member of Parliament. I hope that she will be able to respond positively to our demands. Of course I appreciate that it may not be feasible to keep open Ashbourne maternity home in all the circumstances—my hon. Friend, and the district and regional health authorities, have analysed that. But if that is so, there is a sensible and practical alternative in transferring the facility to St. Oswald's hospital, which is nearby and is excellent.

I support the request of my hon. Friend the Member for Derbyshire, West for a full review of the hospital and the health facilities in his area. The Government have done wonders for the National Health Service. They are building up facilities all over the country which were run down under the previous Labour Government. They are spending more money than ever before. They are paying the nurses more than ever before. They are providing care and help undreamed of in years gone by.

Why is it necessary to spoil such an achievement and the appreciation for that achievement that is demonstrated

[Mr. Lawrence]

in election after election by my constituents, by over-centralisation, when the retention of village hospitals is perfectly feasible in some circumstances such as this and when that becomes socially desirable? It is a particularly cruel stroke if this maternity home is to be closed before that review takes place and before Christmas 1988. I ask my hon. Friend the Minister to think again.

1.14 am

The Parliamentary Under-Secretary of State for Health (Mrs. Edwina Currie): I congratulate my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) on winning the ballot, and I noted with pleasure the intervention from my hon. and learned Friend the Member for Burton (Mr. Lawrence). They are my close neighbours in the midlands and no one could have better hon. Friends or neighbours. I am grateful for the help and support that they give me in my work here and the way in which we work together in the midlands.

I note that my hon. Friend the Member for Derbyshire, West takes a keen and active interest in the health and welfare of his constituents. He tells me that he took part in a delegation in July to discuss health matters affecting his constituency with the then Minister for Health. He has written 25 letters and tabled 20 questions on health-related matters since the general election, and he has certainly kept me busy.

I know the Southern Derbyshire district health authority very well, as it covers my constituency. It also serves the residents in the constituencies of Erewash, Derby, North and South and Amber Valley. It looks after the best part of 500,000 people and is one of the largest health authorities in the country. It is covered by the Trent regional health authority, which is also an enormous region. Its spending rose from £369 million 10 years ago to more than £1,000 million last year, an increase of about 14 per cent. in real terms. This year, Trent's initial cash allocation was increased by a further 6·3 per cent. to over £1,050 million, well above the national average increase of 5·7 per cent. As a result, Trent's poor funding in the past has now been corrected and it has moved from 92 per cent. of its target 10 years ago to 97 per cent. under the RAWP allocation.

We should not under-estimate the impact of the Trent regional health authority or of the National Health Service generally on local life. More than 660,000 in-patients were cared for in Trent hospitals last year and total employment in the regional health authority stands at about 75,000 whole-time equivalent staff. The amount of money contributed to the local economy by the health authority is considerable.

The South Derbyshire health authority has had a momentous year and we should not under-estimate how much it has achieved. It has opened three major new developments at Ilkeston community hospital, Derby city phase I—which includes a maternity unit—and the Derbyshire royal infirmary stage II which was opened in May. During 1988, 644 old beds have closed in the area and have been replaced by 585 new ones.

That has led to much improved occupancy rates, which were hovering around the 50 to 60 per cent. mark in some of the major specialties. It has also led to spectacular improvements in the waiting times and lists, improvements which we hope will continue. The authority is in the middle of a painful and obviously very contentious process of rationalising hospital services. Since 1986, 10 hospitals have been replaced or closed. The health authority voted to close another six in September, including the four under discussion today.

My hon. Friends will be aware that most of the decisions were settled locally and did not come to Ministers. The closures are only partly due to finance. In a number of cases, the decisions were taken because the area was well endowed with small old Victorian hospitals whose economic lives would soon come to an end.

The district had an initial allocation this year of £100·7 million. That represents almost a 6 per cent. increase in cash limit over the previous year. When I became a Member of the House, the authority was spending £78 million. When my hon. Friend the Member for Derbyshire, West became a Member in 1985-86, it was spending £86 million. As I have said, this year the initial allocation is £100 million and the authority has access to other funds. That clearly shows that South Derbyshire health authority has received a great deal more money this year than last year and is much better endowed than before. Therefore, I do not think that the health authority has a strong case for arguing that it should have a lot more money. It has been allocated a much higher share from Trent's increased resources.

At the end of 1987-88, the district had an overspend of £2·2 million and at the beginning of this year it faced a deficit of £2·7 million. Most of that was due to overspending at the Derbyshire royal infirmary. Having opened new facilities at the DRI, the authority found that people liked them and activity levels jumped by about 8 per cent. in one year. That was part of a 23 per cent. increase in activity levels over the past five years.

The authority has considered its health indicators, the most recent of which relate to 1986-87. They show that the total proportion of acute patients dealt with as day cases in the Southern Derbyshire health authority was barely 9 per cent. and was as low as 2 per cent. in some specialties. However, in the health authority that covers most of the constituency of my hon. and learned Friend the Member for Burton—the South-East Staffordshire health authority—the overall figure for day cases was 22 per cent. and in some specialties it was heading for 50 per cent. As a result, the average cost per patient in the South-East Staffordshire health authority area was £514. In Southern Derbyshire, it was £738. Given the patient mix, that was 12 per cent. higher than expected. The health authority is well aware of these figures. They do not mean that, automatically, Southern Derbyshire is inefficient, but they raise questions that need to be examined, and I understand that the health authority is doing that.

The health authority has much success under its belt and should be proud of that. After a slow start under general management, the pace quickened in the last year or so, and major changes are now under way. While I and my constituents probably have fewer hospitals to visit, the standards in those hospitals are immeasurably higher, and modern facilities of the highest standard are now at last available to Derbyshire people after years of losing out somewhat to the south of England and, more recently perhaps, to Nottingham and Sheffield.

The district health authority is looking after more people better and faster and getting them home more quickly. With the arrival in Southern Derbyshire of

Trent's trend-setting personal services philosophy, which I saw for myself in Nottingham recently, I am sure that the health authority's public image will improve. Certainly, its presentation of some of its policies could improve: I am sure that we all agree on that.

My hon. Friend the Member for Derbyshire, West asked for a review of the services around Ashbourne. I know that the regional health authority has taken heed of his concerns. It tells me that it spent some time discussing with the Southern Derbyshire health authority the health needs of Ashbourne and its surrounding villages. It has agreed to look specifically at Ashbourne and the surrounding communities with representatives of the local community and to look at the broad shape of in-patient and out-patient services, as well as the wider network of community services. In so doing, the health authority will look specifically at the longer-term role of St. Oswald's hospital, and that will give it the opportunity to discuss the ideas that my hon. Friend has so eloquently put forward.

As I am sure my hon. Friends will realise, the closure of peripheral maternity units puts me in some legal difficulty. If the community health council persists in its opposition to closure, these matters will come for decision to my right hon. and learned Friend the Secretary of State. I take on board what was said about temporary closure. That is quite commonly done, and quite legal, although I realise that it can infuriate local people. It does not influence the judgment of my right hon. and learned Friend on these matters, and he will base his decisions entirely on what is needed for patients, mothers and babies in that area.

In the short time that is left, I should like to place on record one or two facts. The 1987 figures for perinatal mortality in our area are not as satisfactory as any of us would hope. Perinatal mortality, which is mortality within one week of birth, in England and Wales in 1987 was 8·9. In Trent, it was 9·3 and in Southern Derbyshire it was 9·6. Our new figures to be published nationally tomorrow will show that mortality among our babies has fallen again to a new all-time low. We all hope that that will happen in the Southern Derbyshire health authority area as well.

My hon. and learned Friend the Member for Burton spoke about the problems of travelling. I can tell him that people in labour are already travelling. I am advised that, of mothers admitted to local maternity units for births but later transferred to a district maternity hospital in 1987, Ashbourne had 20, Ilkeston had 13, Heanor had eight and Belper had 68. In the period April to December 1987, 27 of those women from the Babbington unit at Belper were transferred during labour. I do not know whether my hon. and learned Friend has ever tried travelling in an ambulance during labour. I can tell him that it is the most uncomfortable journey that one can have. When my right hon. and learned Friend takes his decision, it would be wise to take that sort of information into account.

Question put at and agreed to.

Adjourned accordingly at twenty-three minutes past One o'clock.

House of Commons

Tuesday 8 November 1988

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (SPITALFIELDS MARKET) BILL
(By Order)
Order for Third Reading read.
To be read the Third time on Thursday 17 November.

RIVER HUMBER (BURCOM OUTFALL) BILL *[Lords]*
(By Order)

PORT OF TYNE BILL *[Lords] (By Order)*

AVON LIGHT RAIL TRANSIT BILL *[Lords] (By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 17 November.

AUTUMN STATEMENT

Ordered,
That there be laid before the House a copy of the Chancellor of the Exchequer's Autumn Statement 1988.
—[Mr. Lawson.]

Oral Answers to Questions

EDUCATION AND SCIENCE

Mathematics and Physics Graduates

1. **Mr. Barry Field:** To ask the Secretary of State for Education and Science what new plans he has to attract more mathematics and physics graduates into teaching.

The Parliamentary Under-Secretary of State for Education and Science (Mr. John Butcher): We have had in place for more than two years an action programme to attract more mathematics and physics graduates into initial teacher training. It has reversed the earlier trend of decline in recruitment. This action programme continues. We monitor recruitment trends closely and we will not hesitate to take further action should it be necessary.

Mr. Field: Does my hon. Friend appreciate the considerable concern felt by industry and commerce about the number of school leavers going to university to study mathematics and physics? Will he assure the House that he will examine carefully every proposal from industrialists to ensure that our education system produces more actuaries than artists and more physicists than philosophers?

Mr. Butcher: I am glad that my hon. Friend did not refer to an avalanche of accountants or a surfeit of solicitors. I have a great deal of sympathy with his point. What matters is that we have an adequate supply of teachers who are qualified to teach mathematics and physics to advanced level so that the admission tutors of universities can be pleased with the quality of applicants for places.

My hon. Friend will be encouraged to know of the £1,300 bursary for trainee teachers of mathematics, physics and craft, design and technology. In a previous incarnation I chaired a committee that involved the new partnership programme in bringing £43 million extra expenditure into higher education, in conjunction with the private sector, to attack the shortages in exactly these disciplines.

Mr. Roy Hughes: Does the Minister recognise that when our bright young graduates see all the rewards that are paid to so-called yuppies in the City it is no wonder that they decide not to become mathematics and physics teachers? Does not the solution lie in the Government's hands—to ensure that these teachers are properly rewarded on a scale commensurate with their role in society and their importance to the nation?

Mr. Butcher: I agree with the hon. Gentleman's last sentence. Our success in attracting appropriately qualified teachers will be a function of two factors; first, the overall level of teachers' pay, which has risen by an average 31 per cent. since March 1986, and by 13 per cent. in real terms —a major achievement. Secondly, an able, newly qualified mathematics or physics teacher can expect, because of the shortage, a rapid rise in promotion and pay. He or she also has the additional opportunity to tap into incentive allowances of between £800 and £4,000 a year, so the framework already exists.

Mr. Patrick Thompson: Bearing in mind the effect that the present shortage is bound to have and is having on the quality of young people entering engineering and science courses, and concerns expressed by the CBI and the headmasters' conference, among others, will my hon. Friend do all that he can to encourage the entry and re-entry of people into this profession and not even rule out possible differential payments in grants and salaries?

Mr. Butcher: The question of flexibility is one that my right hon. Friend the Secretary of State for Education and Science will consider in due course with all those who advise him. We must look very hard at the fact that 400,000 teachers are employed, but that there are 400,000 qualified teachers in what is referred to as the pool of inactive teachers—another unfortunate acronym, the PITS. It is that particular category of teachers currently outside the service that we must closely examine when considering incentives to return to the profession, particularly in the shortage subjects.

Mr. Straw: I offer our congratulations to the Parliamentary Under-Secretary of State on his transfer.

Does he accept that his reply is one of desperate complacency that does not begin to match the scale of the problem? Applications for physics, mathematics and chemistry are down 10 per cent. this year, and half the teachers of mathematics and physics were not qualified at degree level to teach those subjects.

Will the hon. Gentleman confirm that when his hon. Friend the Member for Wantage (Mr. Jackson), in his capacity as Parliamentary Under-Secretary of State, stated in a recent document that

"a major argument is brewing up about whether we should be aiming to produce more teachers, in order to maintain staff-student ratios at their existing high point,"

the argument to which he was drawing attention is one inside the Department of Education and Science and with the Treasury, as to whether teacher shortages can be solved by recruiting more teachers or by making classes larger. On the side of which argument is the Secretary of State?

Mr. Butcher: I may tell the hon. Member that we treat this question very seriously and it is a matter of concern, for the reasons which my hon. Friends have already adduced. As to recruitment and entry into the profession, the hon. Gentleman is correct in saying that in terms of training applications, there was a 10 per cent. reduction in mathematics applicants and a 12 per cent. reduction in physics applicants. By the same token, recruitment into the profession last year was up by 33 per cent. in mathematics and by 49 per cent. in physics. Nevertheless, it is the question of applications that we must address.

As the hon. Gentleman knows, we shall be bringing forward programmes on in-service training. I believe that the package of measures that we have in place will tackle the short-term difficulties, but we have a common cause in tackling the medium-term problem.

Student Support

2. **Mr. Beith:** To ask the Secretary of State for Education and Science if he will make a statement on his plans to bring forward changes in the system of student financial support with effect for the academic year 1989-90.

The Secretary of State for Education and Science (Mr. Kenneth Baker): We announced last Friday that, subject to parliamentary approval, mandatory awards to students will be increased by 5 per cent. in the 1989-90 academic year.

Mr. Beith: Even that award will not make up for the decline of more than 20 per cent. in student awards since the 1970s. How are we to evaluate that against the background of the recommendation of the Minister responsible for higher education, vouchsafed to journalists, that eight named universities should be able to charge an extra £500 in teaching fees? Is that another example of journalists getting it all wrong, or is that the real agenda?

Mr. Baker: My proposals for changes in student maintenance will be announced shortly. I deplore the fact that discussion documents were leaked. There is a great debate on the funding of higher education, both here and overseas. There is also a growing desire among institutions for greater independence. The Government have no proposals for students in receipt of mandatory awards to contribute part of their tuition fees, but higher education institutions have a legal right to charge tuition fees, and to prevent their doing so would require legislation.

Mr. Baldry: Will my right hon. Friend confirm that ours is the most generous system of student support in the Western world and that every other developed country has some form of student loans system? In those countries there is greater participation from all backgrounds in higher education than there is in this country. If we want increased participation in, and access to, higher education, would it not make sense to introduce some form of top-up loan scheme in addition to basic student grants?

Mr. Baker: My hon. Friend has anticipated somewhat a statement that I shall shortly be making concerning student maintenance support. My hon. Friend fired three target rounds: we do have the most generous system of student support in the world; we do spend a larger proportion of our gross national product on higher education than any other country in Europe; and yet we still have relatively low levels of access. The proposals that I shall shortly announce will try to address that problem.

Mr. Andrew F. Bennett: How will the Secretary of State address the central problem that far too few 16-year-olds stay in full-time education? Any proposals on student grants should address that problem. In my constituency, 24 per cent. of those who get good O-levels or GCSEs do not stay on in education, and all the Government's proposals to increase fees and for loans send one message to that group of youngsters—that education is expensive and that it is not for them. How will the Secretary of State address that problem, particularly when he continues to cut the grant each year?

Mr. Baker: We are uprating the grant next year by the forecast rate of inflation for the last quarter of next year. I encourage youngsters to stay on at 16 and 18, and this is probably the case across our political spectrum. I am glad to say—the hon. Gentleman should recognise this—that there are 200,000 extra students in higher education than there were when we came into office.

Education Reform

3. **Mr. Latham:** To ask the Secretary of State for Education and Science whether he will make a statement on progress in introducing the national curriculum.

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): In accordance with my right hon. Friend's declared timetable, work on the core subjects—mathematics, science and English—is now well advanced. Work on the other foundation subjects will follow. We intend to introduce the national curriculum progressively from autumn 1989 onwards.

Mr. Latham: Does my hon. Friend recall from correspondence that head teachers in rural schools in my constituency are worried that the introduction of the national curriculum will be adversely affected by the new rules on charging for educational visits and expeditions? Will she confirm that it cannot have been any intention of Ministers to reduce educational opportunities in that way?

Mrs. Rumbold: The Government's new proposals on charging will not affect either the principle of free education in our schools or the national curriculum or other curricular subjects. However, there have been some considerable misunderstandings about the Government's new charging proposals. Before the Education Reform Act was passed, some authorities were charging for some activities in schools. Those authorities were taken to court and the court ruled against them. The local authorities then asked the Department of Education and Science to clarify the situation and after considerable consultation on the Education Reform Act we have attempted to fall in with what local authority associations suggested to us on charging for activities in schools. There are three general rules: first, charges for board and lodgings may be made; secondly, charges for any activities that take place wholly

or mainly out of school hours may be made; thirdly, indivdual music lessons may be charged for. For other visits to theatres or museums during school hours, parents may be asked to make voluntary contributions. If the parents so decide—they have a choice about whether to do so—those activities can continue.

Mr. Tony Lloyd: Does the Minister recall the Secretary of State giving a guarantee that testing at 11 would not become a means of reintroducing the 11-plus through the back door? How is that compatible with the system in the borough of Trafford, which still has grammar schools and the 11-plus? It is important that we have a proper answer to that.

Mrs. Rumbold: Any school that currently administers the 11-plus as part of its admissions policy will be able to continue to do so. That will not cut across the assessment processes that will be part and parcel of the introduction of the national curriculum, where all children will be assessed at the ages of 7, 11, 14 and 16. The tests that are taken at 11, 14 and 16 will be aggregated and published.

Mr. Boswell: Does my hon. Friend accept that many teachers now welcome the national curriculum, but that there is some anxiety among professionals about the amount of time available for training teachers in their new duties, particularly those who also have to carry out teaching responsibilities in the smaller schools?

Mrs. Rumbold: Yes. My hon. Friend will be glad to learn that my right hon. Friend the Secretary of State announced two extra days to allow teachers to complete adequate in-service training for the introduction of the national curriculum.

Environmental Research

4. **Mr. Ernie Ross:** To ask the Secretary of State for Education and Science if he has instructed the research councils to increase their planned future expenditure on environmental research since 27 September.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Robert Jackson): There is no need for the Government to instruct the Natural Environment Research Council to spend money in this way. That is its job. The council will, of course, benefit from its share of the substantial increase in the science budget which was announced last Tuesday. This will be decided by my right hon. Friend, after he has considered the advice of the Advisory Board for the Research Councils.

Mr. Ross: With 95 per cent. of the earth's circulating carbon within the biological feedback processes in the oceans, why is the Natural Environment Research Council £1 million short of funding for the Discovery cruise in the north Atlantic next year?

Mr. Jackson: There are two different kinds of environmental research which are supported through the NERC. Basic research into the environment is funded by the Department of Education and Science. Expenditure on that has increased by more than one third in real terms since we came into office. Of course, the Secretary of State has to consider the Advisory Board for the Research Councils' advice, to which I have already referred. As for environmental research for specific purposes, the requirements of Government Departments and of industry are constantly changing and priorities constantly have to be reassessed. There has been a reduction in such commissioned work at the NERC, but I emphasise that the council has maintained its great strength in basic environmental research.

Dr. Bray: Of the £120 million increase in expenditure on science and technology in 1989-90 which the Chancellor of the Exchequer announced, how much is accounted for by the 3·5 per cent. increase in costs in the universities and research councils above the level expected a year ago? How much is accounted for by the £47 million increase in earmarked programmes for other than scientific purposes, of which only £3 million is for AIDS? Does that not leave a real increase of only £24 million in the budget for the science base?

Mr. Jackson: The hon. Gentleman is always carping. On this occasion he is trying to look a gift horse in the mouth. I can assure him that this gift horse has real gold teeth. I prefer the language of Sir David Phillips, who described the settlement as very encouraging indeed.

GCSE

5. **Mr. Leigh:** To ask the Secretary of State for Education and Science if he will make a statement on the progress in GCSE examinations.

Mrs. Rumbold: The recent report from Her Majesty's inspectors of schools on the introduction of the GCSE shows that it is off to a good start, due in large part to the hard work and commitment of teachers. The GCSE examining groups, in partnership with the new School Examinations and Assessment Council, are already viewing syllabuses and procedures to ensure that next year is better.

Mr. Leigh: Does my hon. Friend agree that the only real and objective test of the GCSE is how those who sat it this year perform at A-level in two years' time? Will she therefore ensure that there is no reduction, watering down or tampering with A-level standards? GCSE must not be seen as a Trojan horse to mask any reduction in our drive towards excellence.

Mrs. Rumbold: I do not accept that A-levels should be the only test of how good the GCSE examination is, as many other objective tests can be applied. None the less, I agree that it is very important indeed that A-levels must not in any sense be changed or watered down, so that young people who have taken the GCSE can demonstrate beyond doubt how excellent the introduction of the new examination is.

Mr. Flynn: Does the Minister agree that GCSE pupils should be used to tackle the chronic skill shortages that exist in this country, particularly in one area? Does she agree that one skill shortage that is capable of embarrassing the Government, and to which pupils can be drawn, is the special lack of skill displayed by top Treasury civil servants in their failure to operate tape recorders?

Mrs. Rumbold: I am sure that the new GCSE examination will enable all pupils who complete the two-years of course work and take the end of the year examinations to follow all the skills that will be required by future generations seeking work in this country.

Mr. Pawsey: Does my hon. Friend accept that the GCSE results for the past year have been very gratifying indeed and give the lie to all those who criticised the introduction of the examination some 18 months ago? However, does she agree that perhaps it lacks some of the essential rigour that is necessary to ensure good A-level results?

Mrs. Rumbold: I agree with my hon. Friend that all the carping about the GCSE being introduced too quickly, without enough money and without sufficient support has been proved wrong. In large part, a great deal of the success has been due to the hard work and effort of teachers and pupils and the support that the children have received from their parents. I believe that the A-levels will come out well, just as we expect, as a result of the good preparation that the GCSE has given to the students taking it.

Mr. Steinberg: I agree with the Minister. If it had not been for the hard work and dedication of the teaching staff, the GCSE would have been a failure, because the Government did not provide enough resources. Can the Minister guarantee that in next year's round of negotiations more resources will be provided for books and equipment so that the GCSE will not depend solely on the teachers' dedication?

Mrs. Rumbold: The GCSE is the best resourced examination that has ever been introduced in Britain. Its success has as much to do with the excellent resourcing as with the determination of the teachers.

City Technology Colleges

6. **Mr. Andrew Mitchell:** To ask the Secretary of State for Education and Science what is the latest information available on proposed sites for city technology colleges.

Mr. Kenneth Baker: The CTC programme continues to make excellent progress. Over £30 million—an unprecedented sum—has already been pledged by industry. Much more will be raised.

Mr. Mitchell: Does my right hon. Friend accept that his CTC initiative is widely welcomed by parents, who see it as an excellent chance for spreading choice and opportunity in education? Will he ensure that the areas that have not yet benefited from the CTC programme will be considered seriously as a means of equipping today's children with the skills that they will need in tomorrow's labour market?

Mr. Baker: The CTC programme is a great success. Kingshurst CTC opened in September and Nottingham and Teesside CTCs will open next year. Only today, plans for a CTC in Bradford have been announced. Further announcements will be made shortly.

Mr. Flannery: Despite the lyrical account of CTCs by the Secretary of State, is it not true that they have run into great difficulties? They are not popular and the amount of money coming from private industry is so insufficient that the Government have to fall back on taxpayers' funds. Why does the Secretary of State not admit that, instead of selectively choosing people for the CTC's, giving them special financial favours and taking money away from the

Mr. Baker: The hon. Gentleman lives in another world. When I visited the Kingshurst CTC on Friday there was a board on the door showing the names of the 64 companies that have supported it. The hon. Gentleman said that the CTCs are not popular. There was over-subscription for places at Kingshurst CTC by 2:1. Now, Nottingham and Teesside CTCs are leafleting their areas and I am sure that there will be substantial over-subscription by the parents in those areas.

Mr. Dunn: Will my right hon. Friend accept that the CTC initiative should be encouraged to the maximum extent? Will he confirm that local education authorities are entitled to set up similar institutions if they so wish and should be encouraged to do so?

Mr. Baker: I thank my hon. Friend for the help that he gave in fashioning the policies for the CTCs. He is right. If local authorities co-operate—more local authorities are now beginning to do so—it eases the process of establishing CTCs. CTCs will be popular and successful schools.

Mr. Fatchett: Does the Secretary of State recall his words when he launched the CTC initiative? He said that the majority of the money would come from private sector initiative. Will he now tell us how much private sector money is involved in the Bradford CTC? Is it the case that, like all the other CTCs that the Secretary of State has announced, the majority of the money is to come from the taxpayer, not from Dixons and the private sector? Is the Minister reluctant to give that figure because it will show how cheap it is for the chairman of a company such as Dixons to buy a knighthood from the Government?

Mr. Baker: I say to the hon. Gentleman that that is a most malicious and unfair allegation. Perhaps he would like to repeat it outside the House, where the person whom he slanders could no doubt take appropriate action. The hon. Gentleman asked about raising funds. We asked sponsors to provide £1 million, which is the initial amount. More than £1 million has been provided for Bradford. In the case of Kingshurst, the £1 million has grown to £2 million and Kingshurst is now searching for £3 million. That is what happens. Once the CTCs are established, more companies support them. It is about time that the Opposition stopped attacking CTCs and recognised that they will be successful and popular.

Inner London Boroughs (Education Functions)

8. **Mr. Simon Hughes:** To ask the Secretary of State for Education and Science what representations he has received from inner London boroughs regarding the level of the specific grant-aid for 1988-89 to cover work preparatory to becoming education authorities.

Mrs. Rumbold: The Government are making available specific grant of £3 million in 1988-89 for the preparatory work of the inner London councils. Some councils have queried their allocations within this figure, but we think that it will be adequate to meet reasonable preparatory costs.

Mr. Hughes: Southwark will spend £460,000 this year in preparing for the handover. The three inner London Tory boroughs have forecast overspends of 32, 64 and 92 per cent. In view of that, how can the Minister of State justify giving each inner London borough only £240,000 when her Department clearly said that it was committed to

a successful handover? What should rate-capped boroughs do? Should they skimp on education provision, or should they cut other hard-pressed services?

Mrs. Rumbold: For this financial year, we think that we have given adequate money, £3 million, to enable councils to carry out the preparatory work that they are required to do. In case there is any query about next year's allocation —the £10 million that the Government have given for 1989-90—we have invited Southwark council in particular to give estimates of what it thinks it might spend. If it does that before Friday, we will consider the estimates.

Mr. Spearing: Does nc the tentative nature of the Minister's reply illustrate th enormous problems that will face inner London boroughs? In view of what her right hon. Friend said in debate, will she look carefully at the organisation of special schools in central London? If the boroughs have to look after them instead of having a consortium, which is presently being suggested, will not the expenses be even greater and the efficiency of the special schools service much diminished?

Mrs. Rumbold: I think that it will give the hon. Gentleman some pleasure to know that we are carefully monitoring the progress of each of the 12 London authorities that are preparing plans. They are working together to seek the best solution for special schools. Not one of them has presented the sort of problems that the hon. Gentleman might have hoped to see. They all welcome taking on responsibility for education and appear to believe that they can deliver it better than ILEA.

Natural Environment Research Council

9. **Mr. Wallace:** To ask the Secretary of State for Education and Science when he last met the chairman of the Natural Environment Research Council; and what subjects were discussed.

Mr. Jackson: The new chairman, Professor John Knill, took up his appointment on 1 October and my right hon. Friend has yet to meet him. However, I met Profesor Knill informally in September and we discussed a range of topics concerning the council's activities.

Mr. Wallace: I am sure that the Minister is aware of the breeding failure of a number of sea bird species in Shetland. Finding the causes of that will require a considerable amount of research, not least into the availability and abundance of sand eels. Will the Minister assure us that he will encourage the NERC to play its full part and that, along with other Departments, his Department will provide resources for that research? If the North sea project were to extend to parts of the sea north of the Wash, does he agree that some of the information from that might help?

Mr. Jackson: Decisions on these matters are made by the Secretary of State only on advice from the scientific community and the research councils, once they have had their allocation of funds. My right hon. Friend has not yet received advice from the Advisory Board for the Research Councils about the disposal of the considerable additional new resources that have been provided. Those resources have not yet been allocated to research councils. I am sure that note will be taken of what the hon. Gentleman has said.

Schools (Opting Out)

10. **Mr. Thurnham:** To ask the Secretary of State for Education and Science what recent representations he has received about schools wishing to opt out of local authority control; and if he will make a statement.

Mr. Kenneth Baker: My Department has received inquiries from a large number of parents, governors and others about the opt-out provisions of the Education Reform Act. The Electoral Reform Society has now arranged, or is arranging, ballots of parents at a number of schools considering grant-maintained status.

Mr. Thurnham: Will my right hon. Friend give an early and favourable reply to the governors of St. James' church school in Bolton, who are fighting to save their school from threatened closure? Is it not ironic that Bolton's Labour council should choose such a popular school to close when 99 per cent. of the parents in an 83 per cent. turnout voted so convincingly to seize the Government's lifeline?

Mr. Baker: I am sure that my hon. Friend will appreciate that I cannot comment on a particular school, because when the proposals come to me I have a quasi-judicial position and I have to examine the proposals carefully. I assure him that if the governing body puts forward these proposals, it has to go through a statutory procedure. I shall deal with the matter—when the statutory period of two months has elapsed—as quickly as possible. I am delighted that so many schools are seriously considering grant-maintained status. This is all part of our great reforming programme. Competition will make for better quality. I understand from the Electoral Reform Society that 15 ballots are expected before Christmas.

Mr. Lewis: When the Secretary of State receives the application from St. James' church school, will he note that £1·5 million must be spent on that school because of a ground fault on which the school is built, which is why the local authority took the decision to close that school? Will he also take note of the fact that 700 plus places are surplus to requirements and have been the subject of a report by the Audit Commission? Will he condemn the opportunism of the hon. Member for Bolton, North-East (Mr. Thurnham)?

Mr. Baker: I am not prepared to condemn the opportunism of one of my colleagues, who is making a constituency point. It is because of these factors that the holder of my office cannot, and should not, make any comments about a particular school, because the matter has to come to him and he will have to look at it in his quasi-judicial role.

Mr. Madel: Will my right hon. Friend always look sympathetically at schools that get good examination results, have strong parental support and are threatened by closure only because of party political manoeuvring by county councillors and inexplicable hostility by local education authority officials?

Mr. Baker: Those are factors that I have to bear in mind when I am considering these matters. We have already made it clear, in the various guidelines that we have given, that one should not be too hasty in closing down schools of proven worth, as has happened in the past.

Mr. Straw: The Secretary of State must be aware that he is placing local education authorities in an impossible position. On the one hand, he has been putting them under pressure to close surplus places. On the other hand, any school now faced with closure can decide, understandably, to seek to opt out. What undertakings will the Secretary of State give to enable local education authorities, whether Conservative or Labour, to implement his policy of orderly school closures? What undertakings will he give to ensure that in capital spending, as in current, there will be no favourable treatment, no bribery of schools to entice them to opt out?

Mr. Baker: I am surprised that the hon. Gentleman now shifts his grounds of criticism of grant-maintained status. As the Education Reform Act was going through its stages in the House, his argument was that few schools would opt for this status, although we said that many schools would be attracted by it. It was also said that very few parents would vote. The hon. Gentleman should look at the first two ballots. He has repeatedly raised the question of capital, and I want to make it clear that we are not offering financial advantages to grant-maintained schools. We shall have to consider the capital needs of such schools as they apply, and grant-maintained schools will receive current funding on the same basis as other schools in the authority.

Mr. Harry Greenway: Does my right hon. Friend agree that, to opt out, a school will need to demonstrate strong parental support and good leadership from governors and from the head of staff—all factors that can only benefit pupils? Therefore, is it not a fact that the more schools that opt out, the better it will be for our children?

Mr. Baker: My hon. Friend is right. This option is now available and requires the considerable commitment of parents and governors, but that is in the full strain of our education policy. We are passing more responsibility down the line to individual schools and governors. We are also increasing competition in the education system. That is good for quality.

School Closures

11. **Ms. Primarolo:** To ask the Secretary of State for Education and Science whether he will review the procedures for school closures; and if he will make a statement.

Mr. Butcher: No, Sir.

Ms. Primarolo: Will the Minister explain how he will maintain his impartiality under section 12, regarding the possibility of school closures, while, at the same time, encouraging those same schools to opt out?

Mr. Butcher: I think that the hon. Lady is referring to the fact that applications have been suspended until 30 November. If the schools are eligible for grant-maintained status, that will allow them sufficient time to decide whether to apply.

The question of the criteria and attitude towards school closures has not changed. The procedures are well known. Unfortunately, the local education authority in the hon. Lady's constituency has had a chequered career, to put it mildly, in the way that it has presented its proposals, but she knows the factors in which we shall be interested if the authority puts forward alternative proposals.

Mr. Dickens: Does my hon. Friend agree that school closures and opting out are consistent with Conservative party policy to give parents power? Are we not the party that gave trade union members their power and council tenants their power?

Mr. Butcher: The answers to my hon. Friend's questions are yes, Sir, yes and yes.

Ms. Armstrong: As the Government are making it virtually impossible for local authorities to make closure proposals and, therefore, there are many surplus places throughout the country with which the Government are not assisting local authorities, will the Minister alter the procedures by which capital moneys for local authorities are calculated so that those schools under the authority of the local education department will have the opportunity to compete fairly with those schools which the Secretary of State is funding separately?

Mr. Butcher: The hon. Lady has missed the whole point of the Education Reform Act, which is to provide parents and governing bodies with more power by encouraging their schools to be filled according to parental choice. In due course that will have an effect on the capital allocation and maintenance programmes for those schools.

School Governors

12. **Mr. Haselhurst:** To ask the Secretary of State for Education and Science whether the full quota of school governors under the statutory arrangements has been obtained; and if he will make a statement.

Mrs. Rumbold: The information available so far from local authorities suggests that most schools are successfully filling all the places on their governing bodies.

Mr. Haselhurst: Does my hon. Friend agree that this is a gratifying response in the first year in which extended opportunities for gubernatorial positions have been available? In view of the importance of forging closer links between school and industry, is she satisfied from the returns so far that a goodly proportion of people with business experience are taking up those positions?

Mrs. Rumbold: Yes. We are extremely satisfied with the response that we have received from parents in the election of parent-governors. In those authorities where they have managed fully to constitute their governing bodies, we are also delighted to see that there has been fair representation from business and industry. When I visited my hon. Friend's county of Essex yesterday, I found that the county has been particularly successful in that venture.

Mr. Cryer: Will the Minister make sure that there are no deterrents to people becoming school governors, such as the establishment of a CTC, as has happened in Bradford, where the establishment of a CTC may well threaten the existence of secondary schools? If that is the case, as seems likely, people will not be enthusiastic to become governors and it will be yet another blow against the state sector, as was the establishment of CTCs in the first place.

Mrs. Rumbold: There is no need for the hon. Gentleman to worry. There is a need for new schools in Bradford, and the governing bodies will be constituted by the normal procedures of electing both parents and business men. He can be assured that in Bradford of all places a CTC will be welcomed by the community and needed by the pupils.

Teacher Training

13. **Mr. Pawsey:** To ask the Secretary of State for Education and Science what action he intends to take to improve the quality of teacher training and to make it more relevant to the needs of modern industry.

Mr. Butcher: The Government already have in place a number of measures designed to improve teacher training and to give due importance to business and economic factors, in particular the tough new criteria for pre-service training courses introduced in 1984 and the comprehensive in-service training grant scheme introduced in 1987. My Department, the Department of Trade and Industry and the Training Agency are currently collaborating on a range of specific projects in this area.

Mr. Pawsey: I thank my hon. Friend for that comprehensive reply. Does he agree that many of our excellent education reforms will be undermined if teachers are not adequately trained? Does he accept that we should take a hard look at some teacher training colleges to ensure that the courses that they offer and the methods that they use will properly equip our children for society? Finally, does my hon. Friend agree that perhaps teacher training colleges should be next on our agenda for reform?

Mr. Butcher: Teacher training is the issue of the moment. It is our view that we should focus on quality, relevance and practicality of training. We do not want the colleges to become playgrounds for behavioural scientists, and thankfully, the majority of them are not. This is a serious question that must be addressed as a matter of great priority.

PRIME MINISTER

Engagements

Q1. **Sir Hugh Rossi:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

The Prime Minister (Mrs. Margaret Thatcher): This morning, I had meetings with ministerial colleagues and others. I was present at Victoria station to mark the arrival of the President of Senegal. In addition to my duties in the House, I shall be having further meetings later today.

Sir Hugh Rossi: Did my right hon. Friend have the opportunity of observing the enormous damage to the environment during her most successful visit to Poland, on which my right hon. and hon. Friends would wish warmly to congratulate her? Is she aware that during her absence the United Nations published a survey of tree damage in 22 European countries, among which Great Britain appears to be one of the greatest sufferers? In the light of this new and alarming evidence, will she accelerate the Government's response to the latest report of the Select Committee on the Environment on air pollution, which has been outstanding for about six months?

The Prime Minister: I thank my hon. Friend for his supplementary question. I did not observe tree damage in Poland although I saw a number of chemical factories in the distance and became aware of the problems that Poland is having. I know of the report to which he has referred. We should like to see the entire report, because we think that the summary does not tell the whole story. I am aware of the work that my hon. Friend undertakes as the Chairman of the Select Committee on the Environment, and I shall make further inquiries to ascertain when we can expect to have the reply ready. I shall do my level best to accelerate the process. I am well aware of the important work that is carried out by the Committee. Similarly, my hon. Friend will be aware of the £1 billion programme on which we are embarking to try to reduce acid rain, to which our coal-fired power stations contribute. It is unfortunate that our coal contains a large amount of sulphur, and it is expensive to get rid of it.

Mr. Kinnock: Does the Prime Minister agree with the Chancellor of the Exchequer that only a minority of pensioners have difficulty in making ends meet?

The Prime Minister: Pensioners' incomes have increased enormously during the lifetime of the Government. Every pensioner has a basic pension, and most have a second pension. Those who do not have a second pension have income support. The right hon. Gentleman will be aware that the increases in income support were announced last week.

Mr. Kinnock: The House and the country will note the Prime Minister's refusal to answer my question about the Chancellor. Can she tell us whether her refusal is because she agrees with the Chancellor, or because she disagrees with him?

The Prime Minister: The right hon. Gentleman obviously tries to ask very selective questions and thus to avoid discussing the enormous improvement in the incomes of pensioners during the lifetime of this Government, and the fact that Britain's spending on the elderly is the third highest in Europe as a proportion of gross domestic product. Pensioners now have more security in their basic pensions, and in the increases in those pensions than they ever had under the tricks of the Labour party.

Mr. Kinnock: Does the Prime Minister agree with the Chancellor that only a small minority of pensioners have difficulty in making ends meet, or is she as ashamed of him as she should be?

The Prime Minister: If it had not been for the excellent stewardship—[HON. MEMBERS: "Answer."] I shall answer questions in my own way. If it had not been for the excellent stewardship of my right hon. Friend the Chancellor of the Exchequer, we should not now have the highest standard of social services, including pensions, that this country has ever known; nor should we have been able to make up some of the shortfalls in pensions for which the Labour Government were responsible.

Rev. Ian Paisley: In view of the agreement entered into——

Mr. Faulds: The anti-Christ.

Mr. Speaker: Order.

Rev. Ian Paisley: I am glad that my message has got across.

In view of the agreement entered into in Dublin yesterday by the Foreign Secretary about the standing of the territorial waters between Great Britain and the Irish Republic, what is now the standing of the territorial waters around Northern Ireland and Rockall? Dublin made it clear last night that those waters were not covered by the agreement. Can the Prime Minister affirm that her Government reject the Dublin claim over those territorial waters and that she will maintain and defend them as British waters?

The Prime Minister: The position on the territorial waters is the same as it was before the hon. Gentleman asked his question. I am aware of no change.

Mr. Ashdown: Is the Prime Minister aware that a decision is expected imminently from the Government on the future of North East Shipbuilders Ltd. on Wearside? In view of her welcome support for the unions at the Lenin shipyard in Gdansk, will she now take her fur hat to Wearside and express an equivalent solidarity with the workers, the unions and the community there?

The Prime Minister: An announcement will be made about the shipyard in Sunderland when my right hon. Friend the Chancellor of the Duchy of Lancaster is ready. He is not yet ready, or he would have made such an announcement. Let me point out that Solidarity is a great deal more than a trade union. As a matter of fact it is not recognised as a legal trade union—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister must be given an opportunity to reply.

The Prime Minister: It is not recognised as a legal trade union, and obviously it would wish to be.

Solidarity is the only expression of opposition to Communism and Socialism in Poland. Solidarity wishes to have a plural society of the kind that we have, and is very much against the kind of Communism expressed by some people in this country. The hon. Gentleman will be delighted to know that its members did not raise with me in any way the position of the shipyard. They are more concerned to have a plural society and to get their trade union legally recognised.

Q2. **Mr. David Nicholson:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Nicholson: As today is the first anniversary of the Enniskillen bombing, as we approach Remembrance Sunday, and as we recall that Private Jason Winter from my constituency was one of those killed in the recent coach bombing, will my right hon. Friend pledge that she and the Secretary of State for Northern Ireland will continue their excellent work in explaining to the American people and the new Administration what our forces are trying to achieve in Northern Ireland?

The Prime Minister: The House expressed its sympathy at the time that those brave people were killed in that terrible, atrocious incident. Yes, I will gladly take up my hon. Friend's invitation to try to do my best once again to explain to the people of the United States that our forces are in Northern Ireland as an aid to the civil power, to see that the rule of law is upheld, that the terrorist does not win, and that the terrorists cannot achieve by bombing and bullet what they cannot achieve by the ballot. It would be terrible if they were able to do that and, if the forces were not there, it would mean that the terrorists had won.

Q3. **Mr. Sheerman:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Sheerman: Is the Prime Minister aware that in this country life expectancy at 65 is now significantly below 21 other comparable countries, including Cuba, Uruguay and Sri Lanka? Does she think that the widespread poverty of a third of our pensioners has anything to do with that? After 10 years, when will her Government do something about it?

The Prime Minister: I saw the report to which I think the hon. Gentleman is referring. It is not life expectancy at birth. I think that if he looks into the question of life expectancy at the age of 65, and takes into account life expectancy at birth, he will find a very much better result for this country.

Mr. Alexander: Has my right hon. Friend had time to read the report of the private notice question yesterday to my right hon. Friend the Chancellor of the Exchequer, and especially the contribution from the hon. Member for Birkenhead (Mr. Field)? Is it not clear from those exchanges that the Opposition are far less interested in getting extra benefits for those who need them than in making—*[Interruption.]*

Mr. Speaker: Order. Not again. The hon. Gentleman must ask questions for which the Prime Minister has responsibility.

Q4. **Mr. Janner:** To ask the Prime Minister is she will list her official engagements for Tuesday 8 November.

The Prime Minister: I refer the hon. and learned Gentleman to the reply that I gave some moments ago.

Mr. Janner: Does the Prime Minister agree that the statement made yesterday by the Minister of State, Department of Health—that there is no point in further negotiations with the nurses because that would be a continuation of the lobster quadrille—is offensive and disgraceful? Does she not see that the porpoise right behind her and treading on her tail is the Chancellor of the Exchequer, who has this week led the Government, her, the country and the pensioners a merry dance?

The Prime Minister: It was because of my right hon. Friend the Chancellor of the Exchequer's excellent running of the economy that the nurses were able to have an increase in pay which cost the taxpayer—not the Exchequer—£928 million extra and which gave the nurses an increase in pay in real terms of 45 per cent. more than they had had under a Labour Government.

Q5. **Mr. Thurnham:** To ask the Prime Minister if she will list her official enagements for Tuesday 8 November.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Thurnham: Will my right hon. Friend welcome the overwhelming vote by the parents of children at St. James' church school in south-east Bolton to opt out of local authority control? Does that not prove that this Government offer the radical policies that the great majority of the people in this country want?

The Prime Minister: Yes. I saw the report in the press this morning of the overwhelming vote by the parents of St. James' school. I think that it is quite clear that most of the parents in this country welcome the extra choice that they have had under my right hon. Friend's policies and wish to be much more involved in their children's education. My hon. Friend is aware that my right hon. Friend the Secretary of State will make the final determination on this matter.

Mr. Litherland: How does the Prime Minister summon up the appalling gall to go to Poland to preach freedom and democracy when she is doing exactly the reverse in this country.

The Prime Minister: What absolute nonsense—utter and complete nonsense. What the Opposition cannot stand is that I had such a very warm welcome is all parts of Poland.

BILLS PRESENTED

Cold Climate Allowance

Mrs. Margaret Ewing, supported by Dr. Dafydd Elis Thomas, Mr. Ieuan Wyn Jones, Mr. Alex Salmond, Mr. Andrew Welsh, Mr. Dafydd Wigley, Mr. James Molyneaux and Mr. Seamus Mallon presented a Bill to provide for more equitable heating allowances to reflect the increased costs of domestic heating in colder climates; and for purpose connected therewith: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 229.]

Medical Act 1983 (Amendment)

Mr. Nigel Spearing, supported by Sir Anthony Grant and Mr. Sam Galbraith presented a Bill to amend section 36 of the Medical Act 1983 to enable the Professional Conduct Committee of the General Medical Council to exercise greater discretion in respect of conduct which they judge cannot be regarded as acceptable professional conduct: And the same was read the First time; and ordered to be read a Second time on Friday 18 November and to be printed. [Bill 231.]

Health and Medicines Bill

3.31 pm

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Mr. Speaker. You will be aware that in the House of Commons last week the clause in the Health and Medicines Bill relating to eye tests was carried by a small majority and that that Bill has now gone to the other place. There has been some suggestion that, because of the finances involved in relation to payment for eye tests, the Bill cannot be considered and fully reviewed by the other place in the normal way.

Can you, Mr. Speaker, state categorically that when the Bill first went from this House to the other place it was designated by you as not being a money Bill, and therefore the other place is fully entitled to reject the decision of the House of Commons should it desire to do so? Is it not also correct that it would be possible for the Bill to pass between the two Houses many times? I believe that, for example, what is now the Aircraft and Shipbuilding Industries Act 1977 passed between the Houses no fewer than eight times. Is it not the case that the other place has complete freedom to reject the decision taken last Tuesday in this House?

Mr. Speaker: I did not certify it as a money Bill, but, as the hon. Gentleman knows, during the debate I made a statement about the status of the amendments.

Chancellor of the Exchequer (Statement)

3.33 pm

Mr. Frank Dobson (Holborn and St. Pancras): On a point of order, Mr. Speaker. You will be aware that, although the Standing Orders of the House do not refer to Press Gallery or Lobby correspondents, their access to these premises and their behaviour are subject to rules administered by the Sergeant at Arms on your behalf. Those rules are laid down with the intention of protecting the interests of right hon. and hon. Members.

The breach of those rules could lead to the withdrawal of a Lobby or Press Gallery pass, or even action for breach of privilege. Clearly, false, malicious, or wholly inaccurate reporting of events or breaches of confidence are the main wrongs that those rules are intended to prevent. The system of accreditation that has been established through the Serjeant at Arms is intended to provide us all with such protection.

The issue of passes, particularly Lobby passes, gives certain privileges in terms of access to the premises. It also opens up the possibility for accredited Lobby correspondents to be invited by Ministers or others to Lobby briefings. Clearly, any misbehaviour by journalists under the aegis of their Lobby passes could cast doubt on their suitability for accreditation by the Serjeant at Arms.

We understand that last Friday a number of Sunday newspaper Lobby correspondents were invited for an off-the-record briefing by the Chancellor. Without exception, those Lobby correspondents said one particular thing——

Mr. Speaker: Order. Is it a matter for me?

Mr. Dobson: I think that it is, Mr. Speaker.

The Lobby correspondents said that the Chancellor was contemplating the idea of means-testing a number of benefits presently universally available to pensioners. Yesterday, in the House, the Chancellor described their articles as a "farrago of invention" and said that the stories bore no relation to what he had said. Clearly that is a very serious charge——

Mr. Speaker: Order. The hon. Gentleman seems to have a lot of notes. What is the point of order for me?

Mr. Dobson: I also have yesterday's *Hansard*—these are not all my notes. The fact is that what the Chancellor said in the House yesterday was a serious charge against 10 journalists, which could prejudice their access to the Lobby and to the Press Gallery.

We should normally expect that an off-the-record meeting was literally off the record, but we now understand that, at public expense, it was tape-recorded. In view of the discrepancy between what the Chancellor told the House and what the journalists said that he said, I ask you to look into the matter, to listen to the tape and to clear the matter up one way or the other. It is clear that there are only two choices—either the journalists are unfit to report us from the Gallery, or the Chancellor is unfit to remain in No. 11 Downing street.

Mr. Speaker: I am responsible for order in the Chamber. I cannot be held responsible for off-the-record briefings held outside this building. No complaint has been made to me by the Lobby.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Mr. Speaker. Is it not a fact that if an hon. Member calls another hon. Member a liar, that hon. Member must retract? Further, is it not also a fact that you have ruled on several occasions that the Floor of the House should not be used as a cloak of privilege, in such a way as to enable persons who have no right to reply to be insulted, called liars, cheats, thieves or whatever? Surely it must be a matter for you, Mr. Speaker, when the Floor of the Chamber is used by a senior member of Her Majesty's Government to call 10 persons liars—*[Interruption.]*

Mr. Speaker: Order. I have never ruled that there can be any rationing of freedom of speech in this place. Either one has freedom of speech, or one does not. I have always warned that hon. Members must use their privilege of freedom of speech with due discretion.

Mr. David Winnick (Walsall, North): On a point of order, Mr. Speaker. As you will no doubt recall, although you were not in the House, 25 years ago a Minister resigned because he admitted that he had not told the truth. Yesterday the Chancellor said in the House, about the reports of the meeting:

> "Oh yes, they will have their shorthand notes and they will know it, and they will know they went behind afterwards and they thought there was not a good enough story and so they produced that."—[*Official Report*, 7 November 1988; Vol. 140, c. 26.]

I should like to draw your attention to the fact that Mr. Robert Harris, the political editor of *The Observer*, is quoted today in *The Times* as challenging the Treasury to publicise what had been said at that meeting. Mr. Robert Harris is quoted as saying——

Mr. Speaker: Order. What in all this is the point of order for me? There is no point of order. I am not responsible for what Mr. Robert Harris says. He is not a Member of the House.

Mr. Winnick: Mr. Harris said:

"It is unfair of the Chancellor to blame distorted reporting . . . Ten people got exactly the same impression from the briefing."

I should like to ask a simple question: if the Chancellor did not tell the truth, and if the journalists are telling the truth——

Mr. Speaker: Order. I shall not adjudicate on such matters. Every hon. Member must be responsible for what he says in the House.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. As you will know, under the House of Commons (Administration) Act 1978 you have some responsibility for members of the Press Gallery. To that extent you have a degree of responsibility—albeit not a very happy one—to intervene in this matter. May I make a few suggestions?

Mr. Speaker: As between chairmen, yes.

Mr. Skinner: I shall speak as one chairman to another. Perhaps, Mr. Speaker, you might be able to call the teenage scribblers together and provide us with a list of those who were present at the meeting. You would then be able to inform us, in a briefing capacity, of what took place, and the chances are that we should take your word for it. Finally, will you ensure that you do not take the Chancellor's tape recorder with you?

Mr. Speaker: I shall now take another point of order.

Mr. Andrew Faulds (Warley, East): On a point of order, Mr. Speaker. Since the Press Gallery is well-renowned for partisanship and frequent misrepresentation of what actually takes place in Parliament, since it is so easily bought in political terms, and since some of us have the sense to have very little to do with it, would it not be better to clear out the whole damned lot?

Mr. Speaker: I shall take one more point of order.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. The Chancellor of the Exchequer confirmed yesterday that a briefing took place, and my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) has now revealed that there is a tape recording of it. Would it be in order for us to ask for the tape recording to be put into the Library, as it is a public tape recording, paid for at Treasury expense? May we ask for it to be put in the Library so that all hon. Members can hear what was said at the briefing? If that is not done, the whole episode will become known as Lawsongate.

Mr. Harry Ewing (Falkirk, East) *rose*——

Mr. Speaker: Order. I shall deal with one point of order at a time.

I am not responsible for having tape recordings put in the Library. As the House knows, I cannot be responsible for off-the-record briefings.

Mr. Dobson: On a point of order, Mr. Speaker. Will you advise the House whether you are prepared to entertain a motion to exclude the 10 Lobby journalists from the Press Gallery? I should not want to support such a motion, but those who are convinced of the Chancellor's accuracy yesterday would, no doubt, happily vote for it. That would at least give those journalists the opportunity to defend their reputations in public, where they are entitled to defend them.

Mr. Geoffrey Dickens (Littleborough and Saddleworth) *rose*——

Mr. Speaker: Order. We have an important debate ahead of us.

Mr. Dickens: I shall not take long, Mr. Speaker.

Mr. Speaker: I ask the hon. Gentleman to sit down. Surely the hon. Member for Holborn and St. Pancras (Mr. Dobson) does not seriously suggest that I should table such a motion. If he wishes to do so, he may.

Mr. Dickens: On a point of order, Mr. Speaker. Is it right that you should be put to the test of giving rulings on so many bogus points of order raised by Opposition Members? The Opposition are clearly unhappy that we shall not take away the pensioners' Christmas bonus and that we shall not take money off the pensioners. In fact, they are unhappy that we shall help pensioners more. They cannot beat us in that way, so why do they spend so much time on bogus points of order, which are raised for political purposes?

Mr. Speaker: I shall take one more point of order.

Mr. Michael Foot (Blaenau Gwent): Further to that point of order, Mr. Speaker. Is it not a rule of the House that if a Minister refers to a document and quotes from it he has to provide it for the House at a later stage? Is it not the case that the Chancellor referred yesterday to a report in the Treasury Office, and is it not now his duty under that rule to lay the document before the House?

Mr. Speaker: That would be absolutely right had the Chancellor been quoting from a state paper, but I do not think that an off-the-record briefing could be regarded as a state paper.

Mr. Harry Ewing: On a point of order, Mr. Speaker.

Mr. Speaker: I said that the point of order raised by the right hon. Member for Blaenau Gwent (Mr. Foot) would be the last one that I would take. This is positively the last one.

Mr. Ewing: My point of order is in the same helpful vein as that raised by my hon. Friend the Member for Bolsover (Mr. Skinner). Ten days ago, Mr. Speaker, you were rightly very angry with me because I had a copy of the Chancellor's speech and read it a line ahead of the Chancellor. Since then I have lost half a stone in weight getting up and down trying to catch your eye—without any success until today.

On reflection, do you agree that it would be far better if the Chancellor gave me a copy of every speech that he is to make, because when I read his speech he was accurately reported the following day? If I read everything that the Chancellor intended to say a line ahead of him, even the *Daily Express* would report it accurately.

Mr. Speaker: That was a very good try.

British Rail

3.45 pm

Mr. Nicholas Bennett (Pembroke): I beg to move,

That leave be given to bring in a Bill to provide for the privatisation of British Rail.

When I tabled the Bill in July, I little imagined that my right hon. Friend the Secretary of State for Transport would make such a robust speech about privatisation at the Conservative party conference. What I seek to do today is to persuade the Government of the best option —*[Interruption.]*

Mr. Speaker: Order. Will hon. Members who are not staying for the ten-minute Bill please leave quietly?

Mr. Bennett: British Rail management has much improved some of its activities under the leadership of Bob Reid, but British Rail is still a producer-led monopoly which, all too often, puts the interests of its staff before those of its customers. It is appropriate that the hon. Member for West Bromwich, East (Mr. Snape) is to oppose the Bill as the hon. Gentleman is sponsored by the largest producer union—the National Union of Railwaymen. I seek to speak on behalf of a much larger group—the rail passengers.

British Rail is still conservative and unimaginative. Its marketing is still half-baked. Staff are often slovenly and lack pride in their job and even in their appearance. The catering services are never available when the passenger wants them. Cancellations, delays, dirty stock and overcrowding are still prevalent.

Across the world, Governments are turning to the private sector to help them to operate their railway systems. The biggest example to date is Japan, which privatised its railways last year. The United States has private railways, although its problems of size often give the airlines a competitive edge. In South America, Chile, Brazil and Argentina are to privatise their railways. In the far east, Malaysia and Thailand are to privatise. In Europe, Finland is splitting its train budget into two so that the cost of track is separated from operating costs, and the West German Government are questioning the cost of their railway system.

In the short term, we could privatise station and carriage cleaning, maintenance, train catering, security, portering and other services that could easily be hived off from the main railway operation. We could also set in train a number of experiments. At least three major towns in the United Kingdom are served by lines from two different main line stations in London. Exeter is served by Waterloo and Paddington; Birmingham, by Paddington and Euston; and Cambridge, by Liverpool street and King's Cross. It would be perfectly proper and feasible for different operators to operate services to those three towns. My hon. Friend the Member for Isle of Wight (Mr. Field) has already suggested that the service in the Isle of Wight could be hived off to a private operator with no connection with the British Rail system.

In the longer term, privatisation must be predicated on three principles. First, safety must be the paramount concern. Secondly, there must be an improvement for passengers. Thirdly, there must be continued support for rural and social services. I do not believe that British Rail's preferred option is the right one. British Rail proposes to privatise as a private monopoly. Bearing in mind our experience with British Gas, I do not believe that the customer would want that to happen.

The general principle of privatisation would release British Rail and the railway system from the Treasury-controlled external financing limit. British Rail could then go into the market and seek investment for its own schemes without the concern of the Government. So there are serious competitors ranged against the No. 1 option. We must make sure that British Rail's competition is internal as well as external. I do not accept the board's argument that competition with buses and airlines is enough. We must have internal competition so that British Rail's costs are brought under control and the organisation is made accountable to the passengers.

I therefore propose that a rail authority should be established to ensure conditions of safety and fair play. Below that would be five or six regional infrastructure companies with responsibility for stations, signals and track. These companies should be allowed to run trains so that we can see the competitive costs of different train operations. In addition, there should be a third tier under which operating companies would have a statutory right to operate trains in time slots, which could be allotted. In a minor way, that system exists already. The Orient Express operates on British Rail track; Foster Yeoman operates its own class 59 locomotives and wagons on British Rail track. Productivity levels of those outfits are far higher than those of British Rail's freight operation. Fourteen thousand five hundred freight wagons are already in use.

Safety should be the main responsibility of the regulatory rail authority. The benefits of competition derived from a variety of operators and types of service will be useful to passengers. The railway unions' arguments are so facile that they should be knocked down now. First, they say that trains cannot overtake, but of course they do. Many train timetable systems are organised in flights to maximise capacity. British Rail speeds vary between 35 milies an hour for freight pick-up to 125 miles an hour on Intercity, and fast and slow trains run on the same track with overtaking loops, fast tracks through stations and two-track signal lines by directional working. So, already, the possibility exists of running trains with different operators at different speeds. With timetable computerisation and inter-regional working provided through an attractive financial package, competition will be maximised by market forces.

What about breakdowns? At the moment, there is no redress from British Rail if a train breaks down. Passengers grin and bear it. Commercial operators have some form of redress in the form of financial claims against the railway system. The third tier option with different operators will ensure that the service is better by providing for financial penalties against operators who do not run their trains efficiently.

Finally, I turn to rural and social routes. We need proper costing of wear on tracks. We must abolish the public service obligation grants and replace them with line service grants with central and local government input. That is what we have done with the bus system—subsidised the service, not the system. Let us ensure that public money goes to the services that the public judge to be in need of social subsidy.

My Bill seeks to place the passengers first and to give them a service comparable with that of Marks and Spencer or Sainsbury, rather than the sort of service that they have had to endure for the past 40 years.

3.53 pm

Mr. Peter Snape (West Bromwich, East) *rose*——

Mr. Speaker: Is the hon. Gentleman seeking to oppose the Bill?

Mr. Snape: Yes, Sir.

As a member of the National Union of Railwaymen I may say that I have never heard so much claptrap in all my life. So much of the case for rail privatisation has a quaint, antiquated, back-to-the-future quality about it.

The hon. Member for Pembroke (Mr. Bennett) propounded a track authority approach to privatisation, a line of argument usually associated with the Adam Smith Institute. There is a name to conjure with—that of a man who was born in 1723 and died in 1790, before railways were even invented. How did he manage to pass on these gems to the hon. Member for Pembroke?

The Centre for Policy Studies, a group of Right-wing teenage ideologues, has issued its report on privatisation, "Reviving the Railways", subtitled "A Victorian Future", which is a fantasy of recreating not only the four pre-1947 companies but of going further back into the past to pre-1923, when there were almost 150 railway companies. We have been there before. It did not work then, and will not work now. What is the great and glorious past to which the hon. Gentleman and his right hon. and hon. Friends wish to return? In the 10 years before the second world war, three of the four private railway companies never paid a dividend of more than 1 per cent. on ordinary shares. Even the Great Western Railway rarely paid a dividend of more than 3 per cent.

Mr. Bennett: What does that have to do with it?

Mr. Snape: If the hon. Gentleman will shut up, I shall tell him.

Under the present Government, Intercity services are supposed to bring a return of 2·7 per cent.—hardly the kind of figure to attract those lager-swilling yuppies from the City about whom we read so much. The returns of the 1920s and 1930s are also fairly pathetic when compared with the results now sought by the City of London.

As to the so-called golden age of efficiency and competition in the 1920s and 1930s, when the free market gave us service with a smile, it is interesting to draw comparisons with one or two modern routes. In 1938, there were 26 trains a day between Bournemouth and London. There are currently 64. In 1938, the fastest journey time on that route was 116 minutes. Today it is 96 minutes.

It is true that in 1938 there were two competing railway companies on the London to Birmingham route, when there were 22 trains running daily. Some left from Euston and others from Paddington. However, they did not operate on a fixed frequency. If one missed the train from Euston, one also missed the train from Paddington. That was because, at least in theory, they were competing against each other. Today, 33 trains run daily between London and Birmingham. In 1938, the fastest journey time was 1 hour 55 minutes, whereas today, not counting the Pullman, it is 1 hour 32 minutes. That is a significant improvement.

If one considers the hon. Gentleman's own constituency of Pembroke, it is difficult to imagine too many City whizzkids being anxious to run a service to that far-flung outpost. Had the hon. Gentleman propounded his childish and infantile ideas in his own constituency on a Sunday in 1938, it would have taken him 9 hours 22 minutes to return to London—some might think, a good thing too. In 1988, he can be back in London boring the rest of us in only 6 hours 19 minutes. That is not bad for a nationalised railway in 50 years. The truth is that the golden age of railways never existed—particularly in the 1930s.

No one should be in any doubt about the positive achievements of the publicly owned rail system—*[Interruption.]* I hope that the hon. Member for Pembroke, having made his own case, will have the courtesy to listen to my reply. He did not make his case very well, and I am trying to speak slowly because I know that the hon. Gentleman cannot think very quickly.

Today, the railway carries more passengers than at any time in the 1920s, when private car ownership became a reality. Today's railway system carries its passengers faster and—provided one can get a seat, which is not always possible—at a higher standard of comfort than ever before. Also, it costs the Exchequer far less than it costs the Governments of any of our European neighbours to run their passenger rail services.

It is significant that, after 10 years of Conservative Government and of being told by them how well British Rail management is running its services, we are now informed by the hon. Member for Pembroke that those services are dirty and unpunctual. Some of them are, and I myself have been known to complain about them. However, there is nothing wrong with British Rail that proper funding would not put right; anybody who cares about the future of our national rail system knows that to be so.

The track authority concept to which the hon. Gentleman referred is also, in railway terms, a non-starter. There are, I suppose, some rather lucrative pieces of real estate around British Rail stations and tracks. The track authority would rent out space for competing services run by private operating companies. Anyone with a shred of knowledge about operating practices would know just how impracticable is that idea.

If there is an up line and a down line between two cities, and a train full of proles run by one company comes to a standstill on the up line, it is no use the champagne swiggers on the Orient Express behind trying to overtake—it is not possible on a two-track railway. Unlike bus deregulation, one cannot cut short the route, jump the traffic lights, or miss out passengers standing at a bus stop in order to beat one's competitors. Fortunately, there are safety standards which guarantee that few railway passengers lose their lives in the course of a year compared with the 5,000 or so people who are killed on Britain's roads.

The hon. Gentleman has palpably failed to prove his case. He has, predictably for him, not listened to the alternative because he is too busy involved in conversation with his hon. Friends. One would have thought that such a passionate advocate of the free market had come from nowhere to the top of a major publicly quoted company;

[Mr. Snape]

that he started as the office boy and ended up as the chairman. As a matter of fact, according to "Who's Who", before he came here the hon. Gentleman was a school-teacher, after which he became a full-time bureaucrat—I hesitate to use that word, although that is the sort of language that Conservative Members use—with the Inner London education authority in one of the London boroughs. Far from exposing himself to an icy bath full of private enterprise water, he has had rather a comfortable existence in the municipal sector.

I have some advice for the hon. Gentleman as a result of listening to him this afternoon. I shall buy him a junior engine spotter's notebook so that he can discover something about the railway system by travelling around a bit. When he comes back and gets a bit bigger I shall even get him a ride on an engine, providing that he can prove that he has learnt something about the railway system.

The trouble with those infants on the Conservative Benches is that they know nothing and care even less about the passengers or those who work within the railway industry. Those Conservative Members who do—I know that there are some—should join me and my hon. Friends in voting against this silly and childish motion this afternoon.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 109, Noes 184.

Division No. 476] **[4.01 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Banks, Robert *(Harrogate)*
Bennett, Nicholas *(Pembroke)*
Blackburn, Dr John G.
Boswell, Tim
Bowis, John
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carlisle, John, *(Luton N)*
Carrington, Matthew
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dunn, Bob
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fox, Sir Marcus
Franks, Cecil
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Glyn, Dr Alan
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Ground, Patrick
Hayes, Jerry
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hind, Kenneth
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lloyd, Sir Ian *(Havant)*
Lord, Michael
McCrindle, Robert
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Marland, Paul
Marlow, Tony
Martin, David *(Portsmouth S)*
Mitchell, Andrew *(Gedling)*
Montgomery, Sir Fergus
Mudd, David
Neale, Gerrard
Nelson, Anthony
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Patnick, Irvine
Pawsey, James
Porter, David *(Waveney)*
Redwood, John
Roe, Mrs Marion
Rossi, Sir Hugh
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Stanbrook, Ivor
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Walden, George
Warren, Kenneth
Watts, John
Wheeler, John
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Miss Ann Widdecombe and
Mr. David Davis.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Buchan, Norman
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Hume, John
Illsley, Eric
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marshall, Jim *(Leicester S)*

Martlew, Eric
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Dr. John Marek and
Mr. George J. Buckley.

Question accordingly negatived.

Criminal Evidence (Northern Ireland)

4.12 pm

Mr. Ian Gow (Eastbourne): On a point of order, Mr. Speaker. Before the debate begins, can I seek your guidance on a matter of deep concern to many hon. Members on both sides of the House? You, Mr. Speaker, will have studied the draft order before us, and you will agree that it is a document of very great importance and of the most far-reaching significance for the administration of justice in the Province. Yet the Government have chosen to introduce that important piece of legislation not by means of a Bill, but by means of an Order in Council, which is unamendable.

It is enormously difficult for hon. Members who take an interest in the administration of justice in the Province to debate a proposed change of legislation without the possibility of the proposed legislation being considered in Committee and on Report. We are grateful to my right hon. Friend for having allowed a long time for us to debate the order, but that is no substitute for being able to move amendments and for those amendments being considered by the Minister in charge of the Bill. I ask you, Mr. Speaker, whether there is any reason why the Government could not have proceeded with the legislation by the conventional Bill procedure, although it is correct that the order applies only to Northern Ireland.

Mr. Speaker: I do not know that it is for me to say whether other methods might have been used. My concern in studying the Order Paper is to ensure that what is on it is in order. This procedure is in order. I often hear such complaints during debates on Northern Ireland orders, and I think that the hon. Gentleman should make his point during the debate.

4.14 pm

The Secretary of State for Northern Ireland (Mr. Tom King): I beg to move,

That the draft Criminal Evidence (Northern Ireland) Order 1988, which was laid before this House on 20 October 1988, be approved.

I entirely understand why my hon. Friend the Member for Eastbourne (Mr. Gow) raised that point of order. The House knows that it is in order to introduce an order in this form, because the provisions apply to the general criminal law in Northern Ireland and that is a reserved matter as defined in schedule 3 to the Northern Ireland Constitution Act 1973. In the absence of any proposals for devolution, provision can be made by Order in Council subject to affirmative resolution of both Houses of Parliament. I am conscious of the reservations of many right hon. and hon. Members about that procedure, and I certainly would be willing to sit down with them and discuss the ways in which we proceed with legislation, and particularly to discuss with the elected representatives of Northern Ireland, and other parties in the House, whether there are ways in which procedure might be improved.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will my right hon. Friend give way?

Mr. King: No. I have sought to respond honourably to the point made by my hon. Friend the Member for Eastbourne (Mr. Gow), and I should get on.

In view of some of the reporting of this issue I must make it clear straight away that the purpose of the draft

[Mr. King]

order is not in any way to remove the so-called right of silence of suspects questioned by the police or of defendants in court. Nothing in the draft order will oblige an accused to make a statement, nor is there any suggestion that silence should be an offence. As I shall explain, the purpose of this draft order is to allow the courts in certain carefully defined circumstances to draw such inferences as would be proper from an accused's silence.

Mr. Budgen: Before my right hon. Friend goes into detail, will he please tell the House whether any disadvantage would be suffered if he were to adopt the Bill procedure for this measure?

Mr. King: This procedure has been followed in the past for matters affecting the general criminal law. I sought to respond as positively as I could to the reservations expressed by my hon. Friend the Member for Eastbourne. I have nothing to add to my comments.

Mr. Michael Foot (Blaenau Gwent): Will the Secretary of State give way?

Mr. King: If the right hon. Gentleman will allow me, I sought to respond to a point of order that was not for the Chair, and I hoped that the House would find my comments helpful. Although my hon. Friend the Member for Eastbourne was generous enough to say that we have some time, we do not have limitless time and I should like to make some progress.

For some time the Government have been reviewing the law on criminal evidence in Northern Ireland in the light of the grave challenge from continuing terrorist violence and from other serious crime, particularly racketeering. They have had before them a formidable body of persuasive evidence for change, including the acknowledged difficulties faced by the police and the prosecuting authorities in bringing to justice hardened, professional criminals—often assisted by able legal advisers—who are thoroughly trained in resisting police questioning, and in the case of terrorists, who even publish in their news-sheets detailed instructions on techniques for resisting questioning under the heading, "Whatever you say, say nothing". That is a measure of the importance attached to silence by those who are engaged in a sustained and systematic assault on the rule of law and the institutions of our democracy. These practices are now widely recognised and imitated throughout the criminal elements in Northern Ireland.

At present the law in Northern Ireland—as in England and Wales—precludes a trial judge from suggesting to the jury that an adverse inference may be drawn from the fact that an accused chose to remain silent when questioned by the police, or in a Diplock court, where there is no jury, the effect is that the judge must direct himself that he may not draw inferences from the accused's silence. That is so, even if the circumstances were such that an innocent person might reasonably have been expected to proclaim his innocence and draw attention to facts which served to establish it. Whether that should be so has long been the subject of a debate which has sharply divided the legal profession.

The Government were impressed by the arguments and recommendations of the Criminal Law Revision Committee in its 11th report in 1972 that in certain carefully defined circumstances it should be permissible for a court to draw adverse inferences from an accused's silence during questioning. In many—though not all—cases it is surely reasonable to expect that an innocent man will wish to proclaim his innocence and to co-operate with the police by answering questions, and most laymen would regard a complete refusal to answer questions as suggestive of guilt.

Mr. Gerald Bermingham (St. Helens, South) *rose*——

Mr. King: I emphasise that in no sense would it even now, if the draft order is approved, become mandatory to draw any inference, but only if the court or a jury, properly directed by the trial judge, deemed it proper to do so.

Mr. John Morris (Aberavon): So that the House will understand what the procedure will be, will the right hon. Gentleman tell me the words of the caution that the police constable will now give?

Mr. King: I cannot give that advice. The draft has been prepared and is being considered. Clearly, it will be necessary for that to be approved and agreed. As the right hon. and learned Gentleman is aware, it will be in a form that will satisfy the courts.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Will the right hon. Gentleman give way?

Mr. King: It may be more helpful if I take one intervention at a time.

In the Government's view there is much force in the CLRC's argument that the present law hands an unnecessary advantage to the hardened criminal who uses it to refuse to answer any questions and thus to bring police investigations to a halt. I am aware that these issues have been much discussed, that the CLRC recommendations aroused some strong opposition and that recently the Royal Commission on criminal procedure, by a majority, rejected introducing measures to allow courts to draw inferences from silence.

However, the law on criminal evidence should not be artificial and surely it is desirable that all relevant evidence should be admitted—as the CLRC recognised. The object of a criminal trial is to establish the guilt or innocence of the accused. While the innocent should always be acquitted, it is also important that the guilty be convicted.

The Government believe, therefore, that the arguments against change are overstated and that the CLRC's arguments are stronger, full of common sense and significantly reinforced by the deliberate and extreme exploitation of the present position. If right hon. and hon. Members refresh their memories on the Royal Commission's analysis, they will see that it was based on a study showing that few people made use of the right to silence. About 4 per cent. refused to answer any questions. Anybody with any knowledge of Northern Ireland will know that in Northern Ireland the figure is very different.

In that context, the Government took note of the law in the Republic of Ireland, which was changed by the Irish Parliament in 1984 by the enactment of sections 18 and 19 of its Criminal Justice Act 1984, permitting the courts in the Republic to draw adverse inferences in certain specified circumstances from the fact that an accused had remained silent when questioned by the police.

Mr. Seamus Mallon (Newry and Armagh): In the interests of accuracy, should not the Secretary of State point out the four areas in which the order differs from that which pertains in the Republic of Ireland?

Mr. King: I will spell out the details of the order and that will become apparent.

We have now reviewed a wide range of evidence and the Government propose, through the draft order, that the general criminal law in Northern Ireland should be amended to permit the courts in four circumstances to draw whatever inferences would be proper from the fact that an accused remained silent. Two are dealt with by provisions that have the same effect as two provisions recommended by the CLRC. The first is the "ambush", where, having remained silent during police questioning, the accused offers an explanation of his conduct for the first time at his trial when he might reasonably have been expected to offer it when being questioned.

The second provides that, if the prosecution can establish that there is a case to answer, the accused must be warned that he will be called to give evidence and that if he should refuse to do so, the court may draw such inferences as would appear proper.

The other two provisions have the same effect as sections 18 and 19 of the Irish Criminal Justice Act 1984. One allows the court to draw such inferences as would appear proper from an accused's failure or refusal to explain to the police certain specified facts such as substances or marks on his clothing. The other makes similar provision where an accused fails or refuses to account to the police for his presence at a particular place.

Before I explain the content of the articles in the draft order, it is worth remembering that the changes will operate against the background of the established protection for a suspect's rights in police custody in Northern Ireland and that we have in hand proposals further to enhance those rights. For those detained under the terrorism provisions, part II of the Northern Ireland (Emergency Provisions) Act 1987 provides comprehensive protection for the rights of suspects while in police custody. Under those provisions a person has a right to have someone informed that he is being detained, where he is being held, and a statutory right to consult a solicitor. In both cases the police are obliged to inform the person of his rights. Similar provisions will be proposed for persons suspected of non-terrorist offences when the Government shortly lay before Parliament a draft police and criminal evidence order, for which a proposal has been out for consultation during recent months.

Mr. Kevin McNamara (Kingston upon Hull, North): Can the Secretary of State inform the House of the number of occasions when an application for a solicitor has been refused?

Mr. King: I need to check the details. I shall look into that and I am sure that my hon. and learned Friend the Solicitor-General will be anxious to reply.

Article 1 brings articles 2 and 4 into operation on the seventh day after the order is made. The remaining provisions of the order will come into operation on the expiration of one month from the day on which the order is made. The delay of one month is necessary to ensure that police instructions can be implemented on the need to warn suspects of the implications of their failure to explain material facts when questioned.

Mr. Duffy: Before those articles become operative, will the right hon. Gentleman assure the House that the automatic reporting of police interrogations will be universally available?

Mr. King: By "automatic reporting" does the hon. Gentleman mean tape recording?

Mr. Duffy: Yes.

Mr. King: The police and criminal evidence order, which is out for consultation, covers that and it is intended to introduce it, but not for terrorism cases. Hon. Members may smile, but anyone who has studied the issue knows that there is a real problem. The greatest evil is the evil of terrorism and the intimidation and threats that go with it, and people must be aware of the difficulties involved in interrogation and intelligence if we record such cases. I am certainly keen to see that, and it is intended to introduce it. It is in the order, which the hon. Gentleman may have studied.

Article 2 deals with the interpretation of expressions used in the order. I draw the special attention of the House to articles 2(4) and (5) because they make clear on the face of the draft order that no one can be convicted under any of these provisions solely on inferences drawn from his silence.

Mr. Peter Archer (Warley, West): The Secretary of State has drawn attention to the provision in article 2(4). That article says that in deciding whether there is a case to answer, a court shall not draw the inference set out in article 3. Article 3(2) says:

"Where this paragraph applies—

(a) the court, in determining whether to commit the accused . . . or whether there is a case to answer; may—

(i) draw such inferences".

On the face of it, are those two provisions not inconsistent?

Mr. King: On the face of it, I do not think that they are, but the right hon. and learned Gentleman is a lawyer and I do not want to tangle with him. Fortunately, I have brought some supporting arms in the shape of my right hon. and learned Friend the Solicitor-General. Later, perhaps he will be kind enough to engage in an interesting legal exercise. As I say, on first reading I do not think that the articles are inconsistent, but I have great respect for the right hon. and learned Member for Warley, West (Mr. Archer), bearing in mind his previous activities, and I shall look carefully at the point that he raises.

Article 3, which has the same effect as draft clause 1 of the Criminal Law Review Committee's recommendations, substantially abolishes the rule of evidence that, if the accused relies in his defence on some fact that he failed to mention when questioned or charged, the court or jury may not draw inferences from the failure and may not treat this failure as corroboration of the evidence against him. Article 4 has the same effect as draft clause 5.

Mr. Gow: Before my right hon. Friend leaves article 3, may I ask him if he is asking the House to approve this order after a debate of a maximum of four and a half hours, without telling the House the words that will be contained in the caution given to a suspect?

Mr. King: As I said before, a draft caution has been produced and is being considered by the Lord Chief Justice. Of course it will be necessary for the caution to comply with the terms of the order. If it does not comply

[Mr. King]

with those terms—I bow to such advice as I might receive—my understanding is that it would not be a valid caution. It will be necessary for the court to be satisfied that the caution properly reflects the terms, conditions and circumstances faced by an accused under this order. That is my understanding of the matter.

As I said, article 4 has the same effect as draft clause 5. If, at the trial of the accused, the court considers that there is a case for him to answer, then, subject to certain exceptions, the court must at the appropriate time call on him to give evidence. If he refuses to do so or if he refuses without good cause to answer any question, the court or jury may draw such inferences from the refusal as appear proper, and may also treat such a refusal as corroboration of any evidence against the accused.

Mr. Bermingham *rose*——

Mr. King: Perhaps the hon. Gentleman will forgive me if I do not give way. Interventions tend to break the thread of the argument.

Article 5 which has the same effect as section 18 of then Irish Criminal Justice Act 1984, provides that a court or jury may draw such inferences as appear proper where an accused fails to account to a constable for some specified fact such as a mark on his person or clothing or the condition of his clothing or footwear. There is a safeguard that such inferences can be drawn only if the accused was told in ordinary language by the arresting constable what the effect of failure or refusal might be.

Finally, article 6 has the same effect as section 19 of the Irish legislation. It makes similar provisions to the previous article about the inferences that may be drawn from a failure or refusal by an accused when arrested by a constable to account for his presence at a particular place at or about the time when the offence was committed.

The proposals in the order have been brought forward only after the most careful consideration by me, my Department and the Government of a subject that has been debated exhaustively over the last 16 years. In his statement on 20 October, my right hon. Friend the Home Secretary made clear that he also intends at the earliest opportunity to bring forward legislation on this matter for England and Wales, but it is right that we should act now in Northern Ireland to restore the balance of justice there.

Anyone who knows anything about the present situation in Northern Ireland and about the challenge that is faced by the police and the prosecuting authorities whose very lives are at risk as they discharge their responsibilities to protect the community, will know about the deep sense of concern and frustration felt by all decent people in Northern Ireland. They are concerned and frustrated because they know that the absolute refusal by many people to answer questions cannot be taken into account by a court.

I was asked whether I have any figures. The RUC informs me that of all those detained for questioning in connection with serious crimes, including terrorist offences in Northern Ireland, just under half refuse to answer any substantive question while in police custody. Many of those people will not answer any questions. It is quite clear that in too many cases justice is being thwarted, and this must be remedied as soon as possible.

Mr. Tony Marlow (Northampton, North): Is there any evidence to suggest—and this may well be the case—that those who refuse to answer questions are more likely to be aquitted than those who answer questions?

Mr. King: There is considerable evidence to show that justice is being thwarted. I do not think that it is any secret that many people about whom there are grave doubts and the gravest suspicions are not brought to justice. It is a matter of balance. In discharging my responsibilities I have to take into account the fact that the whole system of justice in Northern Ireland is under attack. I have here a list of magistrates and judges who have been injured or murdered. The list takes no account of the previous intimidation of juries or of the intimidation and murder of witnesses. That list is the most visible evidence of the attack on the system of justice in Northern Ireland and the holder of my office can neither remain ignorant of that attack nor disinterested in it.

We also know that there is a calculated campaign to frustrate the course of justice, not least through the advertised campaigns of instruction about how to frustrate police questioning. Earlier I mentioned the slogan, "Whatever you say, say nothing". That has permeated right through terrorist crime into racketeering, gang-type activities and general criminal activities. Faced with that, and with the need to maintain the balance of justice and the protections of which this House, of all places, is jealous, I would dare to presume, in front of a number of distinguished lawyers facing me, as well as those behind me, that one needs and is entitled, and the House has a duty, to keep that law under review and to see that the balance is correctly maintained in the face of this calculated and determined attack. I am standing here now because I believe that this is a time when that balance has to be redressed, and when we have to consider whether there is a case for making modest changes.

As I said at the start of my speech, in no sense is this an attack on the right to silence in the sense of people being compelled to speak. Under the serious fraud legislation, it can be a contempt if people refuse to give evidence, but there is no such requirement in this order. In four limited areas, we are proposing to move from the situation in which there is an absolute prohibition on a judge or jury drawing any conclusion from silence. I think that many people would think that we were mad if, in certain circumstances, when the law is deliberately exploited by a number of clearly guilty men who are among others who may face the courts, we were to say that there should be no opportunity for the courts to draw any inference.

This is a limited measure and I could be criticised for not going further. As I emphasised earlier, it will not be mandatory for the courts or for a jury as properly instructed by a judge to draw any inference. They will have, if they think it proper and if, in the case of a jury, they are properly directed by a judge, the opportunity to take this into account. The House owes it to the people who seek to maintain a system of justice against all the provocation, the dangers and the difficulties, at least to allow this modest change in Northern Ireland.

Mr. Barry Porter (Wirral, South): I have listened with great care to my right hon. Friend. Perhaps he might bear in mind that there are no greater opponents of terrorism than I and my hon. Friends the Members for Wolverhampton, South-West (Mr. Budgen) and for

Eastbourne (Mr. Gow). All three of us are loyal supporters of the Union, but have a clear feeling of unease about the way in which, and the haste with which, the order has been brought into the House. In view of the perfectly sensible questions about, for example, the caution, is there not time for some reflection and further discussion about this matter before it is put to the vote?

Mr. King: I think it right to bring this order before the House tonight, and that is why I am standing here now. I sought earlier to cover some of the points that my hon. Friend made. This is not a new subject. My hon. Friend is familiar with Northern Ireland, and knows that this is a matter that anybody spending any time discussing the situation in Northern Ireland and visiting the Province will find raised as an issue on which there are strong feelings. Against that background, while I am under no illusions that this is some panacea for the problems of securing a better balance in convictions and in seeing that justice is done, I believe that these are sensible and necessary measures to take. They have struck the right balance between the proper interests of people facing charges in Northern Ireland——

Mr. Budgen: Will my right hon. Friend give way?

Mr. King: Will my hon. Friend allow me to finish?

They strike the right balance. They are modest but important changes. They are not changes that innocent people need fear, but they at last restore something to, and will help maintain, the balance of a system of justice that is under threat, to the benefit of all the people in the Province.

4.45 pm

Mr. Kevin McNamara (Kingston upon Hull, North): These modest changes are only on a par with Dean Swift's modest proposals. It is not right to say that juries do not draw an inference from silence and by the accused not going into the witness box, whether the judge draws attention to it or not. Juries are not idiots and they draw inferences.

It is with a sense of sadness that I reply to the Secretary of State, because, despite all the warnings, despite all the evidence of the past 20 years, despite his own knowledge of the realities of the conflict in Northern Ireland, he has fallen into a pattern that we have witnessed all too often. A new Secretary of State approaches his office with hopes for the future and a commitment to reform. He becomes disappointed at the slow pace of progress and then resorts to simplistic and repressive solutions. The Secretary of State has failed to recognise that, to the extent that reform has failed, the main responsibility lies with the Government's half-hearted pursuit of that objective.

The Secretary of State appears to have abandoned the long-term strategy of the Anglo-Irish Agreement for a short term, short-sighted attempt to keep the lid on the conflict. Once again, the Province is suffering from the inability of its rulers to appreciate the complexities of its problems. This order epitomises the politics of despair, and despair is always dangerous, particularly in politics. It is, after all, the only sin that cannot be forgiven; that is why the Labour party opposes the measures, both for its simpleness and because it implements the politics of despair.

We oppose the order because it reveals the political bankruptcy of the Government and because it represents such a transformation of the legal system that no one who believes in the liberty of the citizen can support it. Hon. Members on both sides of the House will rightly point out that terrorism itself violates the rights of the individual. It does, but that is why the state must go out of its way to maintain civil liberties. The paramilitaries cannot be defeated through methods that are incompatible with the existence of democracy. Unless the state enjoys a moral status incomparably superior to that of its armed opponents, it cannot triumph. Otherwise, it relies on the argument that might is right, and that is the essence of the paramilitary case.

If there is no difference between the state and the paramilitaries in terms of means, one would have to choose whom to support on the basis of ends alone. It is self-evident that the legitimacy of the lawful authorities would be seriously undermined if that were the case. While the House is not neutral in the conflict, the unpalatable reality is that large sections of the population in Northern Ireland are neutral about the security forces and the paramilitaries of either community. These are the people who supported the institutions of Government, and their support must be won if the conflict is to end, but the order will reinforce those people in their distrust.

Mr. Marlow: The public perception is that the end that the Labour party supports is that of a united Ireland, and when the Government introduce means to frustrate terrorism, then the Opposition always seem to oppose them. The public is perfectly clear about what the Opposition are trying to do.

Mr. McNamara: To combat terrorism, we shall support any proper means under the rule of law which we believe would be effective. The problem is that the Government are continually introducing methods that are not effective, as I shall seek to demonstrate.

This is evident when one considers the logic behind this measure. The order stems from a state of mind in which the militarisation of the judicial process becomes a legitimate tactic. Such an approach neglects the damage inflicted on the credibility and effectiveness of that process. In that sense, the order is a victory for those it purports to undermine.

The order is fundamentally flawed because the Government assume that an extremely complex political problem can be resolved merely through changes in the legal system. They assume that the opposition to the present institutions in Northern Ireland and the alienation from democratic politics can be overcome merely by coercion. We do not accept that. The Government have issued the wrong prescription because they have falsely diagnosed the problem. They justify the order by the need to facilitate the work of the police and the courts when dealing with highly trained paramilitaries. The Labour party supports measures which, under the rule of law, effectively combat the paramilitary threat, but this order does not do so.

It is not the co-operation of the paramilitaries in an interrogation chamber which is significant, it is the fact that tens of thousands of ordinary citizens in Northern Ireland do not co-operate with the Royal Ulster Constabulary. That is the problem, and it cannot be changed by negative initiatives of this sort. It will change only when the institutions in Northern Ireland, including the Royal Ulster Constabulary, become more acceptable

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throughout the whole of Northern Ireland. Far from doing anything to inspire greater confidence in the police and the judiciary, the order will bring them into further disrepute. The Government, having abandoned the hope of winning consent, are resorting to coercion. That is a pattern all too obvious in the history of Britain's dealings with Ireland.

One of the major steps in the establishment of our civil liberties came in 1568 in the decision by the Court of Common Pleas to release a prisoner jailed for refusing to answer questions put to him by a trial judge. The threat to the security of the kingdom at that time was far more severe than anything we face today. Similarly, the 1640s —when the right to silence became fully established—was a period of great domestic and international upheaval, but it was precisely at those moments of stress and threat that the importance of civil liberty was recognised. The kingdom survived and grew in strength and authority because of the extension of rights and freedoms, not in spite of them.

Those historical lessons are now being thrown overboard by an arrogant Government who have lost faith in their ability to reconcile law with order.

Mr. Bermingham: I am grateful to my hon. Friend for giving way so courteously, when the Secretary of State repeatedly failed to give way to me. Does my hon. Friend agree that this issue does not just concern the right to silence? This is the first step on the road to compelling people to give evidence in court on oath. That is the subtle difference. When a court calls upon a person to give evidence under article 5 in this charter, it calls upon a person to give evidence on oath. That flies in the face of our basic system and of the principles regarding the burden of proof.

Mr. McNamara: I shall deal later with some of the points raised by my hon. Friend.

Earl Warren, the famous chief justice of the American supreme court, put the case nicely when he said:

> "To declare that in the administration of the criminal law the end justifies the means . . . would bring terrible retribution. Against that pernicious doctrine, this court should resolutely set its face."

It is against this pernicious order that the House should set its face.

Mr. William Cash (Stafford) *rose*——

Mr. McNamara: It is obvious from the Government's behaviour that they are embarrassed about the steps that they are proposing and that they are not convinced of either their propriety or efficacy. The order bears the obvious signs of being a rushed measure, both in terms of the dubious reasoning put forward by the Government and in the drafting of the order. The Government's case is severely flawed both in terms of logic and honesty. The Secretary of State justifies the order by reference to the difficulties involved in dealing with paramilitaries and racketeers, yet he proposes this extension throughout the whole of the criminal justice system and does not confine it merely to emergency legislation.

At the same time, having observed the Northern Ireland experience, the Home Secretary has announced his intention to introduce similar legislation for England and Wales.

Mr. Cash: Will the hon. Gentleman give way?

Mr. McNamara: I will not give way to the hon. Gentleman. He was not here at the start of the debate; if he had been, I would have given way to him.

All the while, the Prime Minister appears to believe that this is merely a temporary restriction of civil liberties. The Government cannot have it both ways. Either the order is justified by reference to the specific difficulties of Northern Ireland—in which case it is unclear what relevance the order has to ordinary crime in England and Wales—or the Government have ulterior motives for taking away a fundamental civil right from everyone. The latter interpretation is the most plausible.

The Government have rested their case on selective and subjective grounds for what is a radical change in the criminal law. I attempted to secure answers about the evidence upon which the Government are taking action. My questions have all met with the same response:

> "Records are not maintained in the form which would permit the hon. Gentleman's question to be answered."

In effect, the Government have informed me that they do not know the answers or are not prepared to publish the evidence, so that we can look at what the police and the judiciary are saying. If the Government are not prepared to do that, we are not prepared to accept the order.

Similarly, the Government carefully resurrect the 16-year-old recommendations of the Criminal Law Revision Committee. They do not tell us how bitterly criticised that report was. Some of the more polite descriptions were "ill-fated", "notorious" or "fatally flawed", and the report was not implemented because it contained no evidence to justify the proposed changes.

Having resurrected that 16-year-old report, the Government appear to have buried the 1981 report of the Royal Commission on criminal procedure. The commission rejected the abolition of the right to silence. The commission has suddenly been censored out of existence, although the Police and Criminal Evidence Act 1984 was based on it. Why, then, this selective amnesia? The answer is simple: the Secretary of State and the Prime Minister have once again subordinated the facts and the reality to the Prime Minister's prejudices.

To justify the order, the Government are making use of the police force in a scandalous manner. For short-term gain, the Government are threatening the hard-won independence of the police and of the Royal Ulster Constabulary. The credibility of a police force depends on its being seen to remain outside partisan politics, a difficult enough task in Northern Ireland. The Government are dragging in a crude attempt to mobilise the police for their own political ends.

The Government's case depends purely on anecdotal evidence from the police and the judiciary. They refuse to publish the representations made by the police and the judiciary. No serious research exists which would support the Government's claims. There is no evidence that the right to silence assists defendants, but, by dragging the police and the judiciary into the political fray, the Government are trying to establish a case at the expense of public confidence in the police, in the Royal Ulster Constabulary and in the Northern Irish bench.

It is quite easy to see the emptiness of the Government's case. The Government argue that people whom the police believe to be guilty either cannot be charged or, once charged, are acquitted by the courts because of the right to

silence. Of course the police believe this to be the case—it would be extraordinary if the police were to arrest people they believed to be innocent or to charge those whom they believed to be innocent—but it is precisely for that reason that the investigation of crime and the trial are separate and distinct procedures. The purpose of the trial is to determine the validity or otherwise of the police case. I do not think that any rational police officer would wish that to be otherwise.

The Government's selective presentation of the facts to support their case gives way to downright dishonesty when they seek to draw parallels with the criminal procedure of the Republic of Ireland. I would welcome the Government's new-found commitment to harmonisation of policies in the two parts of Ireland, if it were sincere and complete. When, for instance, will three-judge hearings be introduced in the Diplock courts? When will we see harmonisation in a broad range of policy areas regarding security, which is vital if we are to reduce the divisions within Northern Ireland and between the North and the South? We look forward to those measures, but the Government have not yet introduced them. However, with regard to calling in aid the legislation of the Republic, the unfortunate truth is that the measures in this order have little in common with the practice in the Republic.

The abolition of the right to silence at trial was not even considered by the Irish Government. It is true that they proposed to admit the drawing of inferences from silence in the pre-trial phase, but that was rejected by the Oireachtas, the Irish Parliament. The similarities that exist are more apparent than real because of the disquiet that is felt by the Irish judiciary, which has refused to draw such inferences at trials. In an effort to find a case for the Secretary of State and the Prime Minister, the Government's propaganda machine has presented a travesty of the truth. They are not content with introducing their proposals by the back door, for they are attempting to justify them in a dishonest manner. The Irish experience refutes the Secretary of State's case rather than supporting it.

Mr. Harold McCusker (Upper Bann): My intervention might be of assistance to the Secretary of State. Can the hon. Gentleman tell us what the caution is in the Irish Republic on this issue?

Mr. McNamara: No, I cannot. It appears that the hon. Gentleman is seeking to help the Secretary of State. I am pleased about that, for it is the first piece of assistance that the Secretary of State has had from the hon. Gentleman since the Anglo-Irish Agreement.

Presumably the purpose of this apparent dishonesty and the misleading of the House is for the "benefit" of the House and international community. Northern Ireland is an issue that has steadily become international, and the Government's efforts to campaign against the MacBride principles in the United States reflect this awareness. At the moment when the American people are exercising their democratic rights, the Government are adopting measures that inspire a great deal of hostility towards Britain in the United States and throughout the world.

Last week, the House voted to violate the first amendment of the American constitution, which is the freedom of the press. Tonight, as America votes for a president, we are undermining the fifth amendment, which is the right not to incriminate oneself. The case for the paramilitarists in Northern Ireland could not have been better put than by the introduction of the measures that are before us.

These issues arouse the fury of Irish-Americans and of all citizens within that country. A British citizen wrote to me from California in these terms:

"Many thoughtful Americans are deeply shocked that the British Government should contemplate the abolition of our own equivalent of the fifth amendment. Traditionally, Britain has enjoyed an enviable reputation in the world as a champion of civil liberties, but the present Government seem to care nothing for this. Mrs. Thatcher and her Ministers appear to be totally insensitive to irreparable damage that they are doing to our international reputation as a freedom-loving country."

Thus the Government, by their own actions, have made life far more difficult for those American leaders who attempt to play a constructive and educational role over the question of Northern Ireland and have strengthened the hands of those in North America who are apologists for violence.

The Secretary of State has attempted to present the order as one that introduces relatively limited changes in the criminal law. He described it as a "modest proposal". That is not so. We are being asked to overturn one of the pillars of the British system of justice. The Secretary of State is being disingenuous when he says that the proposed changes are relatively minor. They are not. They represent a dramatic and drastic move away from our adversarial system to an inquisitorial system.

In some ways, the debate is hindered by the use of the term "the right to silence". The law states that the prosecution must prove the guilt of a defendant beyond reasonable doubt and without the assistance of the defendant. That principle is based on three assumptions. First, it is presumed that the accused is innocent until proved guilty. Secondly, it is recognised that proving a negative is often impossible. Thirdly, confessions are admissible only if given voluntarily. The order violates all these axioms of the criminal law.

The onus of proof is being placed upon the defendant. A suspect, often without legal advice, or without any clear knowledge of what he or she is suspected of having done, will be required to demonstrate innocence. There is a presumption that reasonable suspicion can be equated with guilt. Particularly worrying is the requirement to prove a negative. This affects both the general issue of innocence and the specific case of the so-called ambush defence. Suspects will be required to mention any fact that may be used in their future defence.

It is possible to be reasonably sure that a suspect imparted certain information, but one cannot be so certain that a suspect did not do so. It is one thing to tape-record an interview in a police station—in the majority of cases that we are considering in Northern Ireland, which will be scheduled cases or terrorist cases, that will not be the position—and another to keep records of what happens outside the police station. Who is to decide what constitutes a relevant fact, to decide which apparently minor detail may later take on a great deal of significance? This is a form of retroactive punishment, where the absence of foresight will be penalised in the trial procedure.

Mr. Barry Porter: I have no doubt that the hon. Gentleman realises that there has already been a breach of that principle in the requirement in United Kingdom law for notice of alibi to be given. If a defendant chooses to

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raise an alibi defence, notice must be given to the prosecution by the defence so that such a defence cannot be raised at the trial without the prosecution having the opportunity to study and check that defence. Perhaps the hon. Gentleman will address his mind to whether that which is proposed is merely a continuation of that breach or something fundamentally different.

Mr. McNamara: I think that it is fundamentally different, for the reason that I shall advance. I do not object to the requirement that notice of alibi must be given to the prosecution, but that is not what will happen under the order.

No confession can be regarded as voluntary once the order is in force. Voluntary confessions imply that one has the right not to talk. If we take that right away, every confession, as a matter of logic, becomes involuntary. It is quite obvious that the order involves a degree of coercion on the suspect or the accused. The order will provide more work for lawyers, the Court of Appeal, the House of Lords and, unfortunately for Britain's reputation, the European Court of Human Rights. It will needlessly complicate the law of evidence and embroil the courts in what is ultimately political conflict.

I return to the issue raised by the hon. Member for Wirral, South (Mr. Porter), who represents the posh end of Merseyside. I think that he is right when he talks about ambushes and giving notice of alibis, but that is not the purpose of the order as it has been drafted. That does not bear on the way on which involuntary confessions will come out, as it were. We are dealing with a form of coercion. If someone does not say something, that fact will be noted and reference will be made to it.

Those who wish to introduce an ambush alibi will not be prevented from taking that course. Those who choose not to remain silent—for example, hardened terrorists—will have their alibis prepared. They will have Sammy Wilson in a pub on the Shankill. Perhaps that was an unfortunate choice of words, for I was not referring to the lord mayor. As I was saying, they will have Sammy Taylor in a pub in the Shankill or Seamus O'Keane in the Falls, ready to swear that someone was somewhere else when the time came. The paramilitarist will not be affected in any way. In other words, the order will not affect them.

We cannot consider the order without reference to the existing criminal law in Northern Ireland and to the changes that are proposed in the draft Police and Criminal Evidence Act 1984 (Code of Practice) Order 1988. The police have already been granted extensive powers in the emergency legislation. These powers have been recognised as resulting from the conflict in Northern Ireland, powers which would not be on the statute book otherwise. We must therefore think carefully before adding to the many provisions which already exist within the emergency powers. Extension of police powers in the past has not ended the conflict, and it is unlikely that it will do so in future. It is unlikely that the balance that the Secretary of State is looking for in the courts will be restored, if it needs to be.

It is already an offence to withhold information about terrorist activities, under section 11 of the Prevention of Terrorism Act 1984. Much concern has been expressed about the relationship between the order and section 11, not least by the Law Society of Northern Ireland. It seems that it believes that the combination of the two would provide an incentive for a modified version of the discredited supergrass system.

There can be no short cuts in the fight against crime. Investigation and the careful accumulation of evidence must be the basis of policing in Northern Ireland. Such an extension of police powers will only make investigation more difficult, as it undermines the credibility of the criminal law and of the police.

The Government have attempted to justify the measure by arguing that the right to silence was introduced to defend the individual against the arbitrary use of power in a despotism. Now the Secretary of State has said that, given the safeguards in the Northern Ireland (Emergency Provisions) Act 1987, the Police and Criminal Evidence Act 1984, and easy access to legal advice, the proposals for non-paramilitary offences in the draft order are no longer necessary. Once again, he is being misleading.

In Northern Ireland, as in the rest of the United Kingdom, the police have no statutory duty to inform a suspect of his rights. More important, since the commencement of the Emergency Provisions Act in June 1987, the statutory right to access to legal advice has been severely qualified. Over half the requests for legal advice were rejected under section 15(5) of the Act. That argument cannot be used to justify the proposed changes in the law of evidence. If the Secretary of State was claiming that power, he should have been able to say that in every case in which application was made for legal advice it was granted. In 50 per cent. of cases, it was not.

Detailed examination of the order also produces a distinct lack of confidence in the Government's wisdom in pursuing such a course. I am particularly concerned by the vagueness of article 3(1), which requires individuals to account for their presence in a particular place. There is no question of legal advice or of being in a police station where such an interrogation might be recorded. There is no requirement for officers to identify themselves, or for the accused to be informed of the crime of which he is suspected.

The Secretary of State says that there will be cautionary notice, but we are expected to pass the legislation before even seeing the form of caution that it will contain. Where will the caution be given, and what record will there be of the replies? Will the accused be cautioned in the back of a Land Rover going up to Castlereagh? Will he be picked up on the Shankill or the Falls and be told, "We believe that you are guilty of this offence. What have you to say about it? I am giving you a caution."? Will there be a proper system, or will there be no tape recordings? The possible lack of a caution, and the circumstances in which a caution is administered, are a fundamental worry. Was a witness present when the alleged caution was administered?

Sadly, many innocent people have lost their lives through being in the wrong place at the wrong time in Northern Ireland. It is worrying that presence in a particular place will in itself give rise to reasonable suspicion. The implications for such cases as that of Oliver Hughes, the brother of one of my constituents killed at Loughall, are terrifying. If mere presence might imply guilt, the scope of the definition of reasonable force as used by the security forces is likely to extend even further. That danger has not been taken on board. In the battle against the paramilitaries we must be guided by our minds as well

as by our feelings of revulsion. We must ask ourselves not whether the Government's intentions are honourable, but what will be the likely practical effects of the order.

The abolition of the right to silence is likely to make no difference to the guilty, but will have a detrimental effect on the innocent. The innocent have much to fear, as case law shows. The Secretary of State says they have nothing to fear, but they are the only people likely to be intimidated by their surroundings into making misleading concessions. If he wishes me to, I shall give way to the right hon. Gentleman and cite all the cases, including that of Winston Kerr in Windsor. When he was challenged, police obtained a 25-page confession from him. As a result of the order, we can expect more convictions of the innocent, while the position of the guilty remains unchanged. What better recipe could there be for accentuating the sense of injustice in Northern Ireland?

The Criminal Bar Association has warned that the abolition of the right to silence is likely to constitute a disincentive to investigation by the police. A policing strategy that over-emphasises interrogation at the expense of investigation is not likely to work; it smacks more of inquisition. The order, far from facilitating the work of the police, will provide a barrier against effective policing. The "neutrals" to whom I referred earlier will be further discouraged from co-operating with the RUC. Giving greater powers to the police has traditionally weakened, not strengthened, public confidence in them.

The order involves a shift of authority from the judiciary to the police, the transfer of the trial from the courtroom to the interrogation room, from the Crumlin road court house to Castlereagh. It presumes that the fact of arrest implies a greater degree of guilt than has previously been the case. The preferring of charges will take on much greater significance in the determination of guilt. That is not conducive to public confidence in the system of justice.

The adversarial system of our common law is being replaced by an inquisitorial one. There may be many legitimate arguments about the respective merits of the two systems. I note, however, that continental inquisitorial systems such as those of Belgium and Sweden do not enjoy the full confidence of the British tabloid press. But what we should not forget is that, in democratic countries where inquisitorial systems exist, investigations are quasi-judicial, being closely supervised by examining magistrates. The order does not include any such safeguards for suspects in Northern Ireland, nor will there be any for suspects in the United Kingdom. We would therefore have the worst of both systems.

My fear is that the order will have exactly the opposite effect from that which is intended. It will damage the image of the police and judiciary in Northern Ireland. It will make it harder for elected representatives to give the kind of endorsement of the RUC that the Government expect, and which the Opposition realise can be given only when public confidence exists in fact rather than in rhetoric. This is a profoundly retrograde step, which indicates despair on the part of the Government and will undermine the spirit of the Anglo-Irish Agreement. By turning the screw of repression, the Government wind up the spring of violence.

Several Hon. Members *rose*——

Madam Deputy Speaker (Miss Betty Boothroyd): Rightly, there is a great deal of interest in this debate. I know that Mr. Speaker would wish me to appeal for short speeches so that all hon. Members who wish to participate can do so.

5.17 pm

Mr. Nicholas Budgen (Wolverhampton, South-West): The hon. Member for Kingston upon Hull, North (Mr. McNamara) touched frequently on what I consider the crucial issue before the House: how will the order obtain the support and confidence of the people of Northern Ireland? Let us suppose that we meet a constitutional Nationalist from Northern Ireland and say to him, "Yes, there has been a change in the right to silence, which has been considered by lawyers throughout the ages to be one of the absolute rights of a person accused of a crime." How do we persuade that person that the changes, which I believe in general to be right, have been carefully considered and properly argued over and that he, when accused in Northern Ireland, will be dealt with by a law that has gone through the proper process of being "chewed over" in the House of Commons? It will be very difficult to satisfy him of that after today's proceedings.

My right hon. Friend the Secretary of State was unable to answer my question about why the Bill procedure was not used. May I offer an explanation? It is because the Government continue to hanker after the opportunity to go for devolution. Twice since the mid-1970s the position of the minority in particular has been undermined by the attempt at a constitutional gerrymandering of some form of devolved assembly. Of course, that suits the Government. They will say, "Ah, but of course the procedure that we now have to follow in the House of Commons is most defective. We change the criminal law in Northern Ireland by order. It does not give us an opportunity to consider it properly, but it has to be done on the nod. The only way in which that can be changed is by having a devolved assembly." Of course, that is nonsense.

The contents of the order should be contained in a Bill, and what would that mean? Let us suppose, for the sake of argument, that a constitutional Republican is sitting in the Gallery today, saying to himself, "Well, I fear that my cousin may from time to time be on the fringe of violent and IRA activities. I want to be satisfied that he is convicted only after he has committed an offence. I want to be satisfied that my cousin is treated properly and in the same way as any other person suspected of a crime." I would say to him, "My friend, I accept that there are many different views about whether the right to silence should be absolute. Yes, academic views are undecided and divided on this point. There are those, for instance, like myself, who have practised at the criminal bar for a lifetime and, none the less, are prepared to say that the right to silence should be somewhat modified. There are others, like my hon. and learned Friend the Member for Burton (Mr. Lawrence), who take a different view."

I would say to this constitutional Republican in the Gallery: "This issue will be fought out and argued on the Floor of the House of Commons. All aspects of the measure will be argued properly and, when the law finally comes to be applied to you or your cousin, it will be a law that has been properly considered." However, if the order were adopted, the constitutional Nationalist would say, "I

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have little support for the way in which they do things in Westminster. This sort of measure can go through on the nod by an order." It is because the Secretary of State has a vested interest in trying to show that the procedures in this place are defective that he has chosen the order procedure.

Mr. Gow: Does any hon. Member, or even my right hon. Friend the Secretary of State, believe that this is a sensible procedure for enacting such fundamental legislation? Does my hon. Friend agree that there would be continuing uproar in this place if we sought to make similar changes for England and Wales by this procedure?

Mr. Budgen: I can only say as quietly and as carefully as I can that I believe that our right hon. Friend the Secretary of State had a perfectly good opportunity at the beginning of the debate to explain, in response to a question from me, what disadvantage would be suffered if this matter were dealt with by the Bill procedure, but he did not answer my question.

The fact is that this is being knocked through by the order procedure in a way that can only undermine the confidence of those who believe, or should believe, that Westminster is here to safeguard their rights against the Executive. Surely that is the basis of the case. That is what all of us who believe in what I know is unfashionably called integration argue for. We say to the constitutional Nationalists, "Yes, perhaps there are some Protestants in Northern Ireland who are a bit too close to the game to be able to see sometimes exactly where your rights are, but come to Westminster, where there are those who are detached and have a lifelong interest in the rights of the individual and in personal liberty."

We argue that that is the advantage of an imperial, as opposed to a devolved, Parliament. Those rights are being taken away because, since the early 1970s, the Northern Ireland Office has constantly whored after the idea of a devolved Parliament and because it wishes to say that our proceedings are defective. They are not. They can be used properly, and they should be used properly tonight.

5.25 pm

Mr. Robert Maclennan (Caithness and Sutherland): The hon. Member for Wolverhampton, South-West (Mr. Budgen) was undoubtedly right to focus upon the impropriety of the means by which Parliament is removing this bulwark of the rule of law.

Whatever view one may hold about the situation in Northern Ireland, hon. Members cannot believe that the method of legislation that we are engaged in today or the manner in which the Secretary of State brought forward this proposal was appropriate. He did so by a written question without any trailer, without any serious press leaks—the way in which the Government usually communicate their information about important matters—and without hon. Members being given an opportunity to question him upon the reasons for the proposal. In saying that he proposes something comparable in England and Wales, the Secretary of State has at least given us some opportunity to discuss it. He has said that he has set up an internal Government committee to review these matters and to consider whether or not the evidence that he will have to deploy is sufficient to bring about a reversal in our legal system, which has widely been seen as a pillar of the rule of law.

The manner in which the procedure was carried out must call in question the motives and the strength of the Secretary of State's case. This afternoon, the Secretary of State gave little evidence that the existence of the right to silence brings about miscarriages of justice. He asserted that many people before the courts in Northen Ireland use their right to silence, but he has not said—he could not say—that that has resulted in miscarriages of justice. By pulling on our emotional heartstrings and calling upon our worry for the judiciary in Northern Ireland, he has suggested that there is some link between what he is doing today and the prospects for restoring law and order. However, he has failed to give the House any signs that he has understood either the significance or the enormity of what he is proposing.

What is guaranteed in other countries by their constitutions is to be swept aside by the House, following a three-hour debate, with about a dozen of the Secretary of State's supporters here to listen to it, and with the full weight of Government Whips ensuring that the legislation will be carried. That is a constitutional outrage, and a monstrous way to proceed. It is only because those of us who follow Northern Ireland affairs have a great deal of sympathy with anyone who is the incumbent of the office of the right hon. Gentleman that we do not express ourselves in even stronger language when talking about him personally. I fear that, when people take up the office that the right hon. Gentleman holds, they lose their sense of perspective of the democratic rights and wrongs which have brought them to the House, and of their attachment to the rule of law that they claim to be defending in Northern Ireland.

The essence of this matter is that the Secretary of State is casting aside not merely the practice in Northern Ireland since the troubles began, but a principle of English law that has existed for centuries and one that is enshrined in the fifth amendment to the United States constitution. That principle is crucial as a guarantee of the right of every citizen in this country to the assumption that he is innocent until proved guilty. In all honesty, that right will no longer be said to exist in the Province. That reversal of the burden of truth, which is a consequence of the Secretary of State's actions, would not stand up in any other system of common law. We are driven to the conclusion that the Secretary of State is dishonouring Parliament by asking us to approve such an order. He is asking us to be, in some way, complicit to that decision.

We are faced with the most repulsive step down the road to the abrogation of the rule of law that the Secretary of State has taken. The right hon. Gentleman is well aware that I have supported him and his Government in their endeavours to bring about the restoration of constitutional normality to the Province. I have been disposed to give him the benefit of the doubt whenever doubt has existed, but there is no doubt about the order.

Mr. Cash: Does the hon. Gentleman accept that he agrees with the Anglo-Irish Agreement? Does he also know that in the Irish Republic sections 18 and 19 of the Criminal Justice Act 1984 confer the same permissive powers? How does he square that with what is contained in the order?

Mr. Maclennan: I believe that the Anglo-Irish Agreement has been tested almost to destruction. With regard to the Republic's legislation, I have never thought it appropriate for the United Kingdom of Great Britain and Northern Ireland to model itself on its legislation. The very differences that exist may be part of the reason why Ireland chose to withdraw from the United Kingdom.

We face a peculiar situation in which the Secretary of State of the Conservative and Unionist party has to pray in aid the Republic's legislation—incidentally, the order will not be implemented effectively by the courts—in support of this repugnant order.

When the Secretary of State was questioned by his hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) about the manner of the legislation, he gave the interesting reply that he was willing to enter into discussions with parties in the House about the mode of that legislation. Was that a serious offer? Is he willing to reconsider how we legislate in this House? Is he willing to meet all parties to discuss these matters? If he is willing, let him say so.

Mr. Tom King: I said that I would.

Mr. Maclennan: That may prove to be something that many of us would wish to follow up. Hitherto, the right hon. Gentleman has not shown himself to be forthcoming on such matters.

The Government's case is not supported by any empirical evidence that what the right hon. Gentleman has proposed will make the slightest difference to conviction rates. It could not. It has not been supported by any independent evidence, because none has been forthcoming.

The right hon. Gentleman mentioned the 1972 report from the Criminal Law Revision Committee. When that report was published, it was met with a resounding dismissal from everyone who considered it seriously. He has paid little attention to the 1981 Royal Commission —the Philips commission—on criminal procedure. In the light of the right hon. Gentleman's neglect of that report, it is worth recalling some of its specific remarks about the right to silence. It is especially important to draw attention to its conclusion about that right.

On page 90 of its report, the Royal Commission stated:

"All but one of us incline to the view that any modification to the present law of evidence which aimed at requiring the accused to answer a *prima facie* case established by the prosecution would be likely to weaken the initial burden of proof that the accusatorial system of trial places upon the prosecution. The accused should not be obliged, indeed, in the ultimate event he cannot be obliged, either to enter the witness box or to mount any defence".

Earlier, it said:

"It might put strong (and additional) psychological pressure upon some suspects to answer questions without knowing precisely what was the substance of and evidence for the accusations against them; and in consequence what they needed to tell the police in order to allay the suspicion against them. This, in our view, might well increase the risk of innocent people, particularly those under suspicion for the first time, making damaging statements . . . any attempt . . . to use a suspect's silence as evidence against him seems to run counter to a central element in the accusatorial system of trial. There is an inconsistency of principle in requiring the onus of proof at trial to be upon the prosecution and to be discharged without any assistance from the accused's silence in the face of police questioning under caution as any part of their case against him at trial."

That was weighty opinion, and it was thought profoundly compelling by the the Government of that time, of which the right hon. Gentleman was a member, by all the preceding Secretaries of State for Northern Ireland and by the Law Officers.

No one has hitherto proposed to end the right of silence, and the Secretary of State adopted a cavalier manner in doing so. We shall vote against the order if necessary, but we hope that, in the light of the debate, the Secretary of State will see fit not to press it to a vote.

5.37 pm

Mr. James Kilfedder (North, Down): Over the years, I have many times criticised the Order in Council procedure that is applied to legislation and other matters affecting Northern Ireland. Together with my colleagues, I have sought the support of other hon. Members in our condemnation of the autocratic and colonial way in which Northern Ireland is governed. I do not intend to detain the House by repeating everything that I have said in the past. It is all on the record.

Some criticism has been made of devolution. I believe that the hon. Member for Wolverhampton, South-West (Mr. Budgen) should study the work of the late Northern Ireland Assembly. If that Assembly had had this order to consider, it would have spent many hours, days and weeks on it and would have produced an extremely good report. It produced excellent reports, which have been commended ever since.

My Unionist colleagues and I believe that the profound change in the law in Northern Ireland should not be made in advance of a similar change to the law in the rest of the United Kingdom. There are many sensible reasons for amending the existing law, but I am afraid that what will happen—we have already discussed this—is that the change will provoke another attack on Northern Ireland and on the decent law-abiding people of the Province.

By some extraordinary convolution of logic, which is peculiar to politicians, or at least to some, the people of Northern Ireland will be blamed for this change in the law. The blame will be placed, not only on their shoulders, but on the shoulders of the Royal Ulster Constabulary, of members of the Ulster Defence Regiment and of members of the Regular Army, as well as all the judges and everybody else connected with security and the administration of justice in Northern Ireland. My colleagues and I say that it is not fair that everything should be twisted to condemn people who have suffered for 20 long years from obscene terrorism. Against that background, this is a modest measure.

Mr. Martin Flannery (Sheffield, Hillsborough): Will the hon. Gentleman give way?

Mr. Kilfedder: I shall give way shortly. I must be brief, because Madam Deputy Speaker issued an order to that effect.

I do not ask the Government to delay this legislation, but even at this late stage I ask them to introduce the legislation promised by the Home Secretary in May this year, when he announced the establishment of a working group that included a representative from the Northern Ireland Office. In a written answer the right hon. Gentleman anticipated that joint action would be taken, because he stated:

"Since there will be implications for law and practice in Northern Ireland, I am . . . arranging for an official from his office to serve on the group."—[*Official Report*, 18 May 1988; Vol. 133, c. *466*.]

[Mr. Kilfedder]

The right hon. Gentleman was referring to the Northern Ireland Office. If that is the right law for Northern Ireland, there is no reason whatever for delaying the introduction of the change in Great Britain. Change is needed. There is constant change in the law.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) talked about the right of silence having existed in its present form for centuries, but at one time under the common law a defendant on a criminal charge could not, at an assize, speak one word in his defence. He was prohibited from doing so on the basis that it would be wrong for a defendant's own words to be used to convict. In time it was seen that a change in that law was necessary. Change took place, and we continue to have change.

The last major change in criminal trials, which was introduced in the House 22 years ago, was opposed bitterly inside and outside the House. It was introduced to get rid of the need for a unanimous verdict when a defendant appeared on a criminal charge. It allowed for replacement by a majority verdict after the jury had disagreed and after a reasonable time. There was an outcry about that, but it was introduced by the Labour Government, by the distinguished former leader of the Social Democratic party, Lord Jenkins as he now is. It was backed by the distinguished former Lord Chancellor, Sir Elwyn Jones, who was the then Attorney-General.

Every change is seen as an attack on civil liberties, but that radical change was found to be necessary. As the then Attorney-General said, there was

"mounting and formidable evidence that in London at least attempts have been made and are taking place on a considerable scale to corrupt individual jurors."

The Attorney-General added:

"it is difficult to prove these matters by way of evidence."

—[*Official Report*, 12 December 1966, Vol. 738, c. 203.]

That was the reply to those who opposed the Attorney-General in the House.

Mr. Flannery: I am saddened to hear the hon. Gentleman welcome this draconian measure, which can only deepen the problem. Does he not realise that the Government are acting out of sheer frustration? Their policies are not doing what they want, they have nowhere to turn and, in desperation, they are introducing the measure precisely because they have no real answer to the problem in Northern Ireland.

Mr. Kilfedder: The hon. Gentleman has proved what I said at the beginning of my speech: it is wrong that the order should be introduced separately from changes for the rest of the United Kingdom.

I say this to the hon. Gentleman and everybody else who criticises the order. The changes have been mooted for many years by distinguished jurists and judges. The distinguished Jeremy Bentham, who should be a hero to the hon. Gentleman and other Opposition Members, said in an essay on judicial evidence in 1825:

"Innocence claims the right of speaking, as guilt invokes the privilege of silence."

It was the opinion of that distinguished mind that the existing criminal law operated to protect the guilty and that a change should be made.

Mr. McNamara: Does the hon. Gentleman recall that, at the time when Jeremy Bentham was writing, the accused had no right to speak in his own defence, which he has now, and there was no police force? We in the Opposition believe that the Government of the workhouses is the Government of the right hon. Member for Finchley (Mrs. Thatcher), and that was the Government of Jeremy Bentham.

Mr. Kilfedder: I shall not get involved in the fight between the Labour party and the Conservative party. It is clear what was in the mind of Dr. Bentham, and I do not wish to depart from that.

The 11th report on evidence of the Criminal Law Revision Committee, which was published in 1972, made proposals for restricting the right to silence. I have a quotation, but as time is short, I shall not read it out.

It is common knowledge among legal practitioners in Britain that hardened criminals manipulate the law to their advantage. Having practised at the criminal bar in London, I know what happens in trials here. When depositions are provided by the prosecution at the commital proceedings to the defence, certain solicitors are reputed to sit down with the defendant or defendants and prepare a defence that can be woven around the prosecution's case. They have the depositions before them and, if the defendant or defendants have not said a word, subsequently at the trial before a jury they can put forward a case that has been carefully prepared to meet, and not to contest, most of the prosecution's case.

Criminals do not even need the help of solicitors to instruct them in how to manipulate the law. Hardened and experienced criminals know that it is better to stay silent and subsequently to produce their evidence, which a jury might accept as the truth or as sufficient to create reasonable doubt.

The Secretary of State said that the object of a criminal trial is to establish the innocence or guilt of the accused. That is all that the law is about. Protection must be seen in that light. In Northern Ireland, terrorists and paramilitary racketeers—sadly, there are far too many racketeers—are living off the people in certain areas. The terrorists are told by the godfathers of obscene atrocities and by their paramilitary masters to remain silent when they are apprehended by the police or the security forces. That is why it was found necessary, in the Irish Republic in 1984, to restrict that right of silence on certain grounds, and there is no problem there compared with our problem.

The arguments that have been used against the Government today could be used against the people of the Irish Republic, and they would not like it. The remarks that have been made are most offensive. I am, have been and will be critical of the Government, but we are now aiming to maintain a balance in the law in Northern Ireland. In my view, the change in the law is a matter of restoring the balance in Northern Ireland. It is common sense not to allow the criminals to mock and manipulate the law and to use it to their own advantage. It is our duty as Members of Parliament to ensure that those evil men are subjected to a sensible law and its sanctions. The people of this country—that includes Northern Ireland as well as the rest of the United Kingdom—expect nothing less of us.

5.50 pm

Mr. A. E. P. Duffy (Sheffield, Attercliffe): John Milton admonished his countrymen:

"Let not England forget her precedence of teaching nations how to live."

Since Magna Carta, England has been a light to all nations, establishing and maintaining what, in an earlier age, were called "the rights of man."

The civil liberties of the individual and the limited power of the state, which are enshrined in English common law and the constitution, have been among Britain's greatest contributions to the advance of civilisation. However, that bequest is crumbling under the corrupting influence of Britain's floundering involvement in the quagmire of Northern Ireland.

The mother of Parliaments is being asked today by the Secretary of State for Northern Ireland to revoke one of England's keystone liberties—the right of the accused to be free of the compulsion to bear witness against himself. That freedom is so fundamental to a just society that the founders of the American nation enshrined it in the Bill of Rights. It is a jealously guarded right—and properly so—because it goes to the root of the proposition that an accused person is innocent until proven guilty and should not be obliged to give self-incriminating evidence.

I know that the issue raises fierce emotions. It divides lawyers, because many senior judges support abolition, as we have been reminded by the hon. Member for North, Down (Mr. Kilfedder), whereas the criminal bar fervently opposes abolition.

Any loss of traditional safeguards and any departure from the age-old protections of the common law must be regretted, and it ought to be any society's stated objective to retrieve such safeguards and protections as soon as circumstances permit. The insidious aspect of the presentation made this afternoon by the Secretary of State, apart from its general vagueness, is that no such return—nor the possibility of such a return—appears to be contemplated. Indeed, it is feared that these modifications of the right to silence will become a permanent part of the law, not just in Northern Ireland but in Britain.

Are there any circumstances in which the right to silence can properly be abridged? Is it a right from which we can derogate? The Government in Dublin, as we have been reminded several times, thought so three years ago when the Criminal Justice Bill was enacted. Now the Dublin Government have expressed themselves deeply concerned about that move and have suggested that the 1984 Act was comparatively limited in its effect on the right to silence.

The central questions raised by today's proposals are, first, whether the new measures will help to reduce violence and save lives; secondly, whether they will help to bring about a break in the political impasse; and, thirdly, whether they can achieve those aims without obliging the community to pay too high a price in the loss of traditional safeguards and liberties. The answer to the first question is, probably, yes—at least in the short term. Whether such a reduction would have any significant bearing on the political situation is less clear. The new measures will probably help to put some guilty men away, but they will also reinforce the sense of grievance among those in the Nationalist community who view British policy in Northern Ireland essentially in terms of continuing repressive legislation.

The Secretary of State has complained, in an attempt to justify his extraordinary proposal, that justice is being thwarted. Probably it is. Miscreants have always taken advantage of constitutional protections, which are designed to shield the innocent against the abuse of the state's police powers. Yet the tradition of free men is to make a self-conscious choice that, in the words of another Englishman, Sir William Blackstone:

"It is better that ten guilty persons escape than one innocent suffer."

The problem of Ulster is threatening to unhinge the Government. I agree with the point made in an intervention by my hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery). The Government's move to abolish protections against self-incrimination follows hard on another over-reaction—the recent press ban on broadcasting interviews with outlawed IRA members. In the battle against violence, democratic Governments have the right to protect themselves, and they must, of course, employ every legal weapon that is available to them. However, they cannot sacrifice fundamental rights without risking the loss of the civilised societies that they purport to protect.

5.57 pm

Mr. Barry Porter (Wirral, South): You asked hon. Members to speak briefly, Madam Deputy Speaker, so I shall do that.

It takes a great deal for me to stand here and say that I shall be unable to support the Government in the Lobby tonight. The hon. Member for Paisley, North (Mr. Adams), who now resides silently in the Opposition Whips' office, has been known to refer to me in more social atmospheres as a Liverpool Orangeman—a description to which I take no particular exception. I should normally support anything that the Government or the Northern Ireland Office can do to ensure that terrorists, whether the Provisional IRA or Loyalist paramilitaries, are convicted. I have supported such measures in the past and I shall support them in due course. I do not take the view that my right hon. Friend the Secretary of State is Machiavellian in what he is trying to do. By his own lights, he is trying to ensure that those who maim and murder are put where they belong, but, he has got it wrong.

I do not need to rehearse the principles again. A fundamental principle of the law of the United Kingdom is about to be breached, and I do not think that it should be breached in a couple of hours on a gloomy November afternoon in the presence of a couple of dozen hon. Members. I support every word in the speech made by my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) about that point, which I do not need to develop.

At some stage in future we shall have similar legislation for England and Wales—but I hope that it will not be introduced in a similar way. I support the point made by the hon. Member for North, Down (Mr. Kilfedder), that legislation for Northern Ireland should be introduced together with legislation for England and Wales. I have always taken the view that one of the enormous difficulties in maintaining the Union is the myth that Northern Ireland is more separate from the rest of the United Kingdom than Scotland or Wales. However, that is a matter for another debate, although it cannot be right for a fundamental change to be taking place in this way, and I shall take some persuading that the right to silence should be changed anyway.

I have one novel point to make. The right to silence was brought in originally because defendants were illiterate, incoherent and unable to advance their views sensibly when being interrogated. I have the advantage of making

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a modest living outside the House as an advocate, not at the criminal bar, but in rather dodgier circumstances in Liverpool magistrates court. We had the advantage of carrying out the trial run of interviews being taped. If anybody believes that the common run of criminal is not illiterate, incoherent and unable to express himself, I invite him to come to my office at any time and I shall prove that nothing much has changed over the past 200 years. If the right to silence is to be removed, we must have a carefully considered debate at a proper time. This is not such a debate and it is not the time.

5.59 pm

Mr. Michael Foot (Blaenau Gwent): I appreciate the remarks of the hon. Member for Wirral, South (Mr. Porter), and I shall try to reinforce them later in my speech. I shall also try to be brief, as I know that many hon. Members wish to speak.

Let me start with a word of sympathy for the Secretary of State. He has an extremely difficult and dangerous task to perform, and in most cases he does so with great skill and courage. I do not attack his general approach to his terrible problem. Anyone who has had to live through the appalling consequences of terror in Northern Ireland and on the mainland—and we all wake up in the morning to hear and see exactly what has happened—must be listened to when he says that he needs different powers to deal with the problem, and I make my remarks against that background. Nevertheless, the Government are doing something extremely dangerous. They should never have thought of introducing such a measure in this way, and I hope that even at this late stage they may think again.

In the past two weeks, the House of Commons has been presented with two measures that alter fundamental rights upheld for many generations. Furthermore, those measures have been introduced by edict, without any possibility of amendment. Last week, the Home Secretary issued an edict altering the exercise of free speech in Northern Ireland, and presumably that will also happen elsewhere. I protested that we needed a Bill to deal with such an important matter, as we could then consider it more carefully. If we had a Bill in this case, the proposal would certainly not reach the statute book in the form in which it has been presented to the House.

The Secretary of State said that there had already been much argument about the matter, but he did not give the impression in his answers that he had gone into it in great detail. He did not know the essential answers to the most important questions. That is one reason why we have the legislative process. It is a great derogation of the rights of the House for the Government to think that they can abolish them twice in two weeks.

Mr. Budgen: Does not the moral authority of Parliament rest upon the proposition that experts, such as lawyers, advance their arguments for the broad mass of people, as represented by hon. Members, to consider and chew them over? When we legislate through the order-making process, the constitutional safeguards of the individual are abrogated.

Mr. Foot: I fully agree with the hon. Gentleman and with the protest that he and other hon. Members made at the beginning of the debate. I hope that we shall be able to make a dent at least in the Government's intentions, and that we shall not allow this process to be used again.

The Secretary of State will say that the present method of dealing with legislation in Northern Ireland has been in place for a considerable time—and I remember the procedures that were used when I was Leader of the House—but that is not an excuse. When I was Leader of the House, we were seeking to find new methods of dealing with Northern Ireland legislation. We made significant constitutional changes in Northern Ireland because we believed that the people of Northern Ireland had a proper right to put their case in the House. That is why the change in the numbers was carried. There should be a proper legislative process for dealing with matters affecting Northern Ireland, and people in Northern Ireland have every right to complain if the Government do nothing about it.

We shall shortly be entering a new Session. In his own interests, the Secretary of State should fight for the introduction of a proper process for dealing with Northern Ireland legislation to replace this hole-in-the-corner rough-house. The present method is not a proper way of dealing with such far-reaching measures. The hon. Member for Wirral, South has underlined afresh the case made by those of my hon. Friends who have spoken—that this measure represents a major change in the operation of the law. It has been said that it will be extended to the country as a whole. That is all the more reason for incorporating it in a major Bill.

If the right of evidence and the right of an innocent person to protections that he has hitherto enjoyed are to be reversed in the United Kingdom as a whole, they will certainly not be done by order. Such changes would have to be accompanied by a general change in the law and there would then be no reason whatever why the contents of this order could not be incorporated in a Bill duly presented to the House.

Opposition Members will oppose the change because we believe that the principle is utterly repugnant. It would be a scandal if the House allowed such a measure to go through as the Government originally proposed it, and I am glad that it has been opposed by right hon. and hon. Members on both sides of the House.

The debate has been brief, but I hope that, in his own interests and in the interests of Parliament, the Secretary of State will say to the Government, "Never again must measures of this nature be presented to the House in this form." If the Secretary of State wants to protect his own position and uphold justice in Northern Ireland, that is the proper way to proceed. If the Secretary of State and the Government continue in this manner, they will undermine the authority of Parliament itself.

6.6 pm

Mr. Ivan Lawrence (Burton): No hon. Member could have more regard than I have for the courage, determination and integrity of my right hon. Friend the Secretary of State, but he has been badly misled by someone or some group into presenting a completely disingenuous case for an order that is rushed and ill thought out. It will not have my support, and I shall explain why.

My right hon. Friend seems to think that the right to silence is one of the most important obstacles in the way

of the conviction of guilty murdering and hateful terrorists. I have seldom heard such nonsense. If there is evidence from eye witnesses, forensic experts, evidence of letters, maps, diagrams and fingerprints, the defendant is likely to be convicted whether or not he has admitted his own guilt.

If there is no such evidence and the police allege only an admission of guilt or an insufficient explanation, the defendant is unlikely to be convicted because juries and judges, even in the Diplock courts—perhaps I should say especially in the Diplock courts—appreciate the ease of fabricating an admission. They usually require other evidence proving its truthfulness. Such a method is on its way—the tape-recorded interview of the suspect by police officers—but it has not yet become universal. Until that becomes universal, it is unnecessary for us to tinker with the right to silence in the belief that what the defendant says will contribute in one way or another to his guilt.

In either of the circumstances that I have outlined, I believe that the existence or otherwise of the right to silence is monumentally irrelevant. If one wanted to wring a confession of guilt out of a reluctant subject one might have to torture him, but of course that is wholly unacceptable and unthinkable. It is precisely because a man who has been tortured might not only confess his guilt, but might well confess his guilt although innocent, that we abolished torture and protected a person accused by giving him the right to say, "I have a right to be silent. I will say nothing. You produce evidence to prove your case."

Without torture, how can one force a man to speak? Can one pretend that what he says will not be used against him later and then use it? No, that is not allowed. Can one trick him by some promise or frighten him by some threat? No, that is not allowed. A guilty man cannot be forced to speak—nor can anything that he says under force be used in evidence against him—because of the danger that an innocent man might incriminate himself.

Those who do not understand our law should not seek to twist and distort it because of their understandable frustration. My right hon. Friend said today, and has said before, that terrorists can abuse and exploit the system by remaining silent. That merely shows whither frustration leads. What sort of right is it if people can be attacked for taking advantage of it? Is that not evidence of the danger of making ill-considered statements in support of ill-considered orders?

Of course my right hon. Friend is frustrated—we all are. Terrorism is appalling and must be stopped. It is deplorable that we cannot do more to stop it. Perhaps if we introduced capital punishment we would be doing more to stop it, but our horror should not blind us to our responsibilities to operate a reputable system of justice. Nor should it blind us into thinking that any interference with the right to silence, however limited or closely defined, will lead to the conviction of more who are guilty. It cannot, and it will not.

Nevertheless, it may surprise some hon. Members to hear that I am not an avid supporter of the right to silence. It is a sacred cow, but it is only a shadow of its former self. To change the metophor, it is a legal ruin, not a safe warm house. Today, one can be forced to answer questions from the Department of Trade and Industry, or to disclose an alibi. What was said to someone other than a police officer or customs official is admissible in evidence against a person. What is said to a police officer until he has sufficient evidence of a prima facie case to caution someone is admissible. If a person says anything at all, he can be asked why he did not say something else. If a person does not give evidence, a judge can make hostile comments, by innuendo if not expressly.

The right to silence can even be a trap for the innocent on occasion. Intelligent jurors, whatever warning they may receive from a judge that it is a man's right to be silent, may naturally ask themselves why the man did not speak or explain himself. In our criminal cases, solicitors often assume that the men they are defending are guilty before having heard anything about the case, and will tell their clients to say nothing. They do so at the very moment when an explanation might have stopped the whole process of the prosecution or a criminal trial.

I am not one of those who pretend that the right to silence is a vital protector of the innocent, as has been claimed in a number of speeches today. That is going over the top, especially in the light of the danger that the right could be a snare for the innocent.

Why, then, should we not merely sweep it away? Because, for all its thinness and ruined state, the right to silence is still one of the significant linchpins of an accusatorial system and we should be cautious about abolishing it. Under this system the police make an accusation and have to prove it. They try their hardest to do so; sometimes they try too hard. Sometimes they are led to falsify, so the citizen must be protected.

Perhaps the time has come for us to consider more seriously the inquisitorial system that is used on the continent, in which the truth of whether the crime has been committed and of who committed it is investigated by a judicial figure. In such circumstances, the accused needs no right to silence because the police will be under less pressure to prove an allegation that may not have come from them in the first place. But while we still have the accusatorial system we should recognise that it is a delicate and timeworn structure that should not be tinkered with without the most careful, cautious and clear consideration.

My second objection is that this measure does not accord with any of these criteria. The Secretary of State gave us a clear sign of the danger of what is being asked of us when he was asked what caution should be given in these four situations. What warning should be given to protect the innocent man and enable him to understand fully the consequences of not speaking? My right hon. Friend could not answer. He said that this had been debated for a long time in the country. If that were so, I should have thought that some conclusion would have been arrived at. Where is it? What is it? My right hon. Friend could not answer.

It has not been fully considered. We are rushing through an ill-considered measure. My right hon. Friend said that the courts would decide. Why should the courts decide what it is our job to decide? Why should we write a blank cheque against the liberty of the individual, cross our fingers and hope that some court will write the law that it is Parliament's job to write? We are democratically elected to write the law, and the judges are there to interpret it. It is not their job to write it. It is wrong of my right hon. Friend to say that the courts will decide the caution.

The measure contains other signs of haste and lack of thought. Following his statement that nothing in the order would oblige an accused person to speak—it contains no provisions for thumb screws or racks, which is good of my

[Mr. Ivan Lawrence]

right hon. Friend—he said that no guilt was to be presumed from his silence. He said that a man's silence would not advance the case against him. That is untrue. If inferences can be drawn against a suspect from his silence, the case is advanced against him, however rare and carefully defined these occasions are. In some instances the case against an accused will be advanced. The order cannot mean anything else, or there would be no point in bringing it before us.

My third objection is that the legal profession will be overwhelmingly against the change. We do not necessarily have to accept what the legal profession says. We can overrule it, but the profession will add its reasons for opposing the order to those that have been heard in the debate tonight. As the criminal law is administered by lawyers—prosecutors, defenders and judges—should not their opinions be seriously considered and their objections weighed in the balance?

Mr. Budgen: Does my hon. and learned Friend agree that, if we had followed the proper Bill procedure the legal profession would have been able to offer its opinion of the various safeguards? When the legislation finally became an Act, the profession would then be satisfied that it had played its proper part in contributing to the discussion, instead of which the Secretary of State tells us that he does not understand the legal technicalities. He will leave them to other experts, and we must approve or disapprove on the nod.

Mr. Lawrence: Not only that, but such a Bill could have been subject to the Special Standing Committee procedure. The experts could have come along and given evidence under the procedure which the House introduced for just such occasions—occasions when changes touching the liberty of the individual can be carefully and maturely considered across party lines.

My fourth objection is that I do not see how the measure will lead to the conviction of more who are guilty of terrorism or any other crime, and I have already given my reasons for that conclusion.

All the protections that my right hon. Friend has introduced may be irrelevant in practice if there is no absolute right to silence at a trial. Solicitors can already be excluded and prevented from advising their clients by the police. It happens all the time in serious cases under present law, even after the Police and Criminal Evidence Act 1984. Can there be any real confidence that the other procedures offer protection? And when a solicitor has been excluded, how often is a jury persuaded that the alleged words which constitute the only evidence against an accused have in truth been said? That is one of the reasons why, in cases in which the only evidence is an alleged admission of guilt, juries will not convict at the Central Criminal Court, or, for all I know, in courts all over the land.

This is a serious area of the law into which it is undesirable to blunder while the eyes have been blinded by the horror of terrorism and by the frustration of its continuance. My right hon. Friend needs to be cautious. He should not do in Northern Ireland what he would not do in the rest of the United Kingdom.

Yet my right hon. Friend the Home Secretary has laid an order for England and Wales along similar lines. So tonight's measure is not just the thin end of the wedge. It will be the whole wedge, which is also to be driven home without consideration under the full Bill procedure in due course. If my right hon. Friends have no conviction that those measures would survive the proper procedures for changing the fundamental protections offered by our laws, they cannot count on my support, this time or next.

6.20 pm

Mr. Seamus Mallon (Newry and Armagh): Much has been eloquently said by right hon. and hon. and learned Members about the legality of this order, and it would be wrong of me, as a lay person, to attempt to deal with that aspect. Like the Secretary of State for Northern Ireland, I shall ignore the legalities of this measure and deal instead with Northern Ireland's political realities.

The fundamental flaw that is to be found in this order is not the way in which it has been introduced—although, as a Northern Ireland Member of Parliament, I should certainly like more time to consider it. The flaw is that it is based on the great lie that underlines the Government's whole approach to Northern Ireland—that one can make the law act in such a way that it becomes a weapon with which to defeat terrorism. That is not what the law is there for. The law is there for administering justice, not for fighting a war. The Prime Minister herself has said that she is fighting a war in Northern Ireland, and now she is attempting, through the Home Secretary and the Secretary of State for Northern Ireland, to bend the law in such a way that it becomes an instrument of that war. That is to demean and to diminish the whole process of law.

Another lie underlying the Government's approach is that, if one bends the law to one's advantage, one will be better able to defeat terrorism. That lie must be nailed and challenged in this House. From the point of view of the lay person—from the worm's eye view—such a policy deprives the individual of his right to be deemed innocent until evidence is brought before the courts proving him guilty. It also takes away the individual's right not to incriminate himself. The way in which the order compromises the existing situation alone will create great difficulties in Northern Ireland. If such a change is playing with fire in an ordinary society, it will create a bush fire in a society such as Northern Ireland, given the strife, divisions and endemic violence there.

In 1981, the Royal Commission on criminal procedure identified the basic element in the right to silence as the suspect's vulnerability when questioned by police, which remains as valid today as it did then. The Committee for the Administration of Justice comments:

> "The proposals are likely to make what happens in the police station an even more vital determinant of guilt or innocence than at present, and without adequate control of police interrogation methods, this must be a matter of concern."

Removal of the right to silence would be another step towards guilt and innocence being determined not in open courts, not by the judges, but in the interrogation rooms of police stations.

That is of special relevance to Northern Ireland, for three reasons. First, in the investigation by Mr. Justice Bennett, a member of the British Bar, into the way in which the RUC interrogated suspects in Castlereagh and Gough barracks, he found that they used brutal methods

to obtain confessions. That is a matter of record not by an Irish nationalist but by a British jurist. For that reason, we must be particularly careful.

Secondly, the same Government who are introducing this measure have already been found guilty by the European Court of Human Rights of inhuman and degrading treatment. Thirdly, the same courts that will be required to administer this order presided over the bizarre and grotesque supergrass trials that substantially eroded confidence in those courts in Northern Ireland. It is for those three reasons that we must oppose and question not only this order but the measure introduced last week and the measure that will, before the month is out, tamper with a free and open franchise. We must register our concern.

Why is this order needed? Is the existing law not adequate? Are not the Prevention of Terrorism Act 1974, the Northern Ireland (Emergency Provisions) Act 1978, the Public Order Act 1986, and the massive powers they give the security forces adequate? Is the measure permitting seven days' detention not sufficient? Is it not enough that people can be refused—as 52 per cent. of them are—access to legal advice for 48 hours, and that a police officer sits in on any consultation between the accused and his legal adviser? Or are people walking free from the courts who should be convicted because of the basic principle and tradition of a right to silence? If such is the suggestion, it must be challenged with the facts.

In the second quarter of this year, 94 per cent. of those charged in Northern Ireland were convicted. In case it should be thought that this is a vintage year, I can tell the House that in 1980, the figure was 94 per cent.; 1981, 93·9 per cent.; 1982, 93·8 per cent.; 1983, 90 per cent.; 1984, 91·4 per cent.; 1985, 90 per cent.; 1986, 95·4 per cent.; and 1987, 94·2 per cent. Is the Secretary of State for Northern Ireland still saying that Northern Ireland conviction rates merit this order's derogation from normal practice? It can be challenged on those grounds alone.

Mr. Kilfedder: The last figures I had for Northern Ireland convictions before the Diplock trials showed that they were no greater than in the rest of the United Kingdom. Perhaps there is some conflict between our two sets of figures. I would like to know.

Mr. Mallon: I am using the Government's own figures in relation to the Northern Ireland (Emergency Provisions) Act 1978, which are a matter of record in the House and in the *Official Report*.

Are a large number of suspects remaining silent in Northern Ireland and avoiding conviction by doing so? The reality is that that is not the case, and that most convictions are secured as a result of statements by the accused; over the past year, 80 per cent. of suspects pleaded guilty.

I hope that I am not being too cynical in suggesting that this measure is another Government palliative designed to satisfy British public opinion, because the Government can say, "Look what we are doing to get to grips with this problem." Or perhaps it is another sop to Unionism. If it is either of those two things, it is a cynical approach and one that attacks the rights of the individual in attempting to solve a political problem that the Government have not yet properly grasped.

The legal profession is opposed to this measure. It is opposed to it in the North of Ireland. The Secretary of State already has the views about the lack of consultation of the Law Society, the Committee for the Administration of Justice and the Standing Advisory Committee on Human Rights. He has the views of the Criminal Bar Association and the National Council for Civil Liberties. But they are all out of step: the people who are right are those within the Cabinet. It is not the Secretary of State for Northern Ireland, nor the Home Secretary, but the person or people within the Cabinet who are saying, "Let us try to solve the problem by punitive measures." They will not do it now or in the future.

Let me deal briefly with references that have been made to that which pertains in the Irish Republic. I oppose this measure in the Irish Republic, as I do here. The fact that it exists there does not make it right. It is wrong there for the same reasons that it is wrong here. However, there are four major differences there. First, it has never been invoked since it has been introduced in the Republic of Ireland. I do not know whether it is felt that it would not be right to invoke it or whether to do so would be counter-productive, but it never has. There is a right of appeal under the Irish constitution—an appeal which does not exist here, where there is no basic Bill of Human Rights to which to appeal. There is no restriction on access to solicitors, and the Garda involved must have a statutory duty to make information available if there is an investigation in relation to the interrogation of any citizen.

Many of us who are not members of the legal profession are sometimes bemused by the way in which the legal profession approaches things and would question the Government's attitude. Speaking at Cambridge university to the Tory Reform Group on 25 October, the Attorney-General said:

> "The problem with the practice of the right to silence is that guilty people go free because juries are unable to exercise their common sense."

We must weigh that against the opinion of Sir Rupert Cross, who, I am told, is the expert on this. He said:

> "One of the objects of the law of evidence is to prevent common sense from having a free rein because there are cases in which to permit it might lead to an unjust result."

We are asked here to balance the Attorney-General's opinion against that of Sir Rupert Cross.

The Attorney-General further makes the points that people should not be

> "acquitted by what seems the eloquent exploitation of the rules of the game."

I know of no hon. Member who is better equipped to judge what constitutes exploiting the rules of the game than the Attorney-General, if we are to judge by his decision earlier this year in relation to people who have broken the law. That is one of the problems that faces the layman, and it is a matter on which the Secretary of State should think again.

6.32 pm

Mr. William Cash (Stafford): Listening to the debate, one might be forgiven for wondering whether many hon. Members have read the order. There is no provision in the order forcing a person to give evidence. Article 2(4) says:

> "A person shall not be committed for trial, have a case to answer or be convicted of an offence solely on an inference drawn from such a failure or refusal as is mentioned in Article 3(2), 4(4), 5(2) or 6(2)."

Many of the speeches that we have heard from the Opposition, referring to the fifth amendments, thumb-screws and other matters are a load of hot air. It has always been established—I can quote references if I have

[Mr. William Cash]

to—that a trial judge can comment on the fact that the accused has decided not to give evidence. There is nothing in the order to require an accused to give evidence.

The hon. Member for Kingston upon Hull, North (Mr. McNamara) said, in refusing to give way to me, that no real comparison could be made between the position in Southern Ireland and the United Kingdom on a matter of this kind. The plain fact is that the Republic has sections 18 and 19 of the Criminal Justice Act 1984. It may be that for a variety of reasons the judges have decided not to invoke it, but the reality is that the Republic has passed that legislation. It is perfectly compatible that we should pass similar legislation, particularly having regard to the determined way in which terrorists on both sides of the argument are deliberately determined not to make any statements, so as to ensure that no justice is carried out under which they may be convicted.

Mr. Lawrence: Why does my hon. Friend say that, if a man is told that he ought to say something and that, if he fails to do so, such inferences will be drawn against him as may be proper, that is not an obligation upon him to speak?

Mr. Cash: My hon. and learned Friend, for whom I have the greatest possible respect, has not read the order. The point is that each of these important provisions says that the accused, after he has been called upon by the court, is merely put in that position if he chooses to exercise his right to silence. The crucial word then is "may": the court or jury may draw the inference. In other words, there is no compulsion to do so. Therefore, he preserves his right to silence on the one hand and the court is merely empowered—permitted—to draw an inference which, as I have already said, is a principle already entrenched in case law.

Mr. John Fraser (Norwood): The hon. Gentleman cannot believe that.

Mr. Cash: I am simply looking at what the order states, and it is on that basis that I conclude my argument.

6.36 pm

Sir Nicholas Fairbairn (Perth and Kinross): I apologise to the House for not being present throughout the debate, but let me briefly say something about the right of silence, which was introduced into all European systems of law following the Spanish inquisition. It was equally required because, until, I think, 1898 in England and 1892 in Scotland, an accused was not allowed to give evidence, so anything that he did say, whether under torture or not, could not be corrected, explained, denied or added to. Once the accused was entitled to give evidence, the right to silence became absurd.

The right to silence has never been part of the law of Scotland, in that, until 1923, all persons accused were immediately brought before a magistrate so that they could explain their position. Therefore, the innocent confirmed that their story was consistent from the beginning and the guilty were unable to make up a false defence once they knew what the evidence was. That was reintroduced in the Criminal Justice (Scotland) Act in 1980, under my guidance. It is important that nobody accused should be able to hide behind a barrier when, after all, if he is to be convicted, the idiot witness is not allowed the right of silence. However stupid he is, he will be convicted on the compulsive say-so of the witness. Therefore, we should be cautious about the emotion of the right to silence.

However, I caution my right hon. Friend the Secretary of State. To introduce by order as emotive and structural a matter as this is imagined to be by the law of England is a questionable constitutional change. Section 10 of the Bill of Rights of 1891 in the United States, where the concept of the right to silence is supposedly enshrined in the fifth amendment, says that no man shall be compelled to give evidence against himself. That is purely a protection against torture. If one is to have verbals, the right to silence is no protection against anything. Therefore, it is important that we should clarify in our minds the fact that for the accused to make his position clear at the earliest possible moment is in his interest and in the interests of justice. To do it before a magistrate and not in the secrecy of a police station ensures that what he says is there for all to see.

Since that has been the law of Scotland, which is supposed to be the civilised part of the civilian tradition, the Roman tradition of Europe, I see no reason why the law of England should not at last be brought up to date, and with great respect to those in Northern Ireland, I do not know why they are worried.

6.39 pm

Mr. John Fraser (Norwood): The order has been described as constitutionally outrageous, and that is not an exaggeration. We have an order instead of a Bill and we have been allowed about an hour and a quarter of Back-Bench contributions. Apart from the Government Front Bench, barely a good word has been said about the order by any hon. Member from either side of the House.

The order is being applied not only to terrorist offences. It changes the law fundamentally as it applies to a harassed housewife who may be accused of a shoplifting offence or to someone who may be accused of careless driving. It applies throughout the range of crimes. It is a matter not simply of emergency or terrorism; it is a very broad change which we are urged to agree after only two or three hours of debate.

The Secretary of State said that it had been discussed exhaustively. I do not think that that is true. That certainly was not the view of the Law Society of Northern Ireland in its press release which protested that it

"had not been consulted about a change in the law of 'such a fundamental nature'."

It is true that the Criminal Law Revision Committee in 1972 recommended a change in the rules. There was plenty of debate about that recommendation, and the preponderance of the views expressed about the recommendation of that committee was rejection. The conclusions of that committee certainly were rejected by a Conservative Government between 1972 and 1974, and they were not implemented by the Labour Government between 1974 and 1979. There was another opportunity in the Police and Criminal Evidence Act 1983, but they were rejected there.

Mr. Kenneth Hind (Lancashire, West): Will the hon. Gentleman give way?

Mr. Fraser: I must keep my remarks short. I gave up time for others, and it is only fair that I should not be interrupted.

In the current legislative year, there was an opportunity to change the law in the Criminal Justice Act 1988, yet here we have an order which is a constitutional outrage. An announcement made in the last 10 days of October is to become the law of the land in Northern Ireland on 8 November. That must be a constitutional outrage, particularly in view of the very limited time that hon. Members have had to discuss it.

The Secretary of State said that it is a modest change. It is not a modest change. It changes the burden of proof in criminal proceedings. Of course, there are isolated exceptions, but it means that the silence of a defendant is to be taken as corroboration of the evidence which is presented by the prosecution. That is a fundamental change in the nature of the law of evidence that has existed in this country for hundreds of years.

Of course, there are occasions when we have made absolute offences which apply to small things such as watering milk and the breathalyser test. However, in other cases, very sensibly, we have looked at circumscribing the right of the defence to ambush the prosecution, and we introduced the notice of alibi. If the Government were bringing forward a considered arrangement for giving notice of defences which ambush the prosecution, that might be a reasonable way of approaching the matter. Instead, within a matter of two and a half hours, they propose fundamentally changing law which has existed for hundreds of years.

The Secretary of State complained that 50 per cent. of those accused in Northern Ireland refuse to answer questions. He is really saying that that 50 per cent. of accused people ought to be playing a part in convicting themselves. He is saying that the combination of an accusation and some evidence allied to the exercise of the right to silence leads to a greater degree of conviction. That must be self-incrimination, which is a very fundamental change. It is not a modest change, as the Secretary of State suggested. It runs counter to the rights which were transplanted from England to the United States and developed in the American constitution. I am sure that the Secretary of State should be aware of the dangers to his own policy of providing a new grievance which can be developed in the United States.

The measure is introduced in Northern Ireland in circumstances where there is less protection than in England. I instance four. First, there are occasions in Northern Ireland—I am told by my hon. Friend the Member for Newry and Armagh (Mr. Mallon) that it involves about half the cases—when the accused is refused access to a lawyer in the first 48 hours; therefore, there is less protection there for a person who wishes to exercise the right of silence.

Secondly, in Northern Ireland there is no duty solicitor scheme such as operates under the Police and Criminal Evidence Act in England where a duty solicitor is available at all hours of the day and night to assist when somebody is accused and held for questioning at a police station. That protection is absent in Northern Ireland.

Thirdly, the Secretary of State does not even know what kind of caution will be used. Article 3 of the order contains no words to imply that a caution ought to be given at all. It says that somebody is to be

"officially informed that he might be prosecuted",

although in later articles it states that he has to be told in "ordinary language", which is what is meant by a caution. It seems grossly unsatisfactory to make such a fundamental change in the law of evidence and for the Secretary of State not even to be aware of the caution that is to be administered.

Lastly, there is the weakness of the absence of jury trial in Northern Ireland. We can all understand the reasons for having Diplock courts, but there is the final absence of the protection of the scepticism of 12 citizens who may be much more willing to question the way in which statements have been taken and admissions made than would a judge sitting alone.

I have very little time, but I wish to make one detailed criticism of the order. If we were in Committee, we could spend several mornings considering the detail of the order. I have only two minutes to consider some of the detail that I shall draw to the attention of the House. Article 3 does not say that the defendant must actually be accused of a crime.

Article 3(1)(a) states that at any time when somebody is

"being questioned by a constable trying to discover whether or by whom the offence had been committed"—

if he—

"failed to mention any fact relied on in his defence,"

an inference can be drawn from that failure later in proceedings. From the wording of article 3, it is clear that a person can be questioned about the suspicion of somebody else having committed a crime, yet, because he fails to mention a salient fact during his questioning about somebody else having committed a crime, that can be held against him in his trial.

Taking some words from article 3(1)(b)—they are not out of context—if the accused, on being

"officially informed that he might be prosecuted, failed to mention any such fact,"

inferences could be drawn. As an illustration, if somebody is told that he might be prosecuted for careless driving and he shrugs his shoulders—as most of us would in the circumstances—and hopes that nothing will happen, the fact that he shrugged his shoulders and then introduced a defence means that an inference may be drawn against him and he could well be convicted by the shrug of his shoulders. But for the grace of God, anybody could be convicted in such circumstances. If a store detective says to a housewife, "You may be prosecuted for taking these goods out of the shop," the order applies equally as it does to the terrorist.

We are not debating a special arrangement for terrorist offences. I do not doubt that the abolition of the right to silence will lead to more convictions. I do not doubt that the abolition of the right to silence will enable some guilty people who now go free to be convicted. But some innocent people who now go free will also be convicted. One of the planks of our constitution is that it is better that 10 guilty men go free than that one innocent man is convicted. That plank is being removed in a telescoped debate without proper consideration. That is not the way to defeat terrorism. It is the way to give terrorists new friends, new alibis, and new grievances. The order should be rejected by the House.

6.50 pm

The Solicitor-General (Sir Nicholas Lyell): In the short time available, I shall seek to answer some of the points raised in the debate and to correct some of the deeply

[The Solicitor-General]

misplaced and, at times, hysterical criticisms that have been made, particularly by the hon. Member for Kingston upon Hull, North (Mr. McNamara) and, I am sorry to say, the hon. Member for Caithness and Sutherland (Mr. Maclennan).

The right hon. and learned Member for Warley, West (Mr. Archer) asked whether, under article 3, someone who brought forward for the first time at trial some facts or explanation which he might have been expected to produce earlier could be convicted on that alone. It is important for the House to know that, under article 2(4) of the order,

"A person shall not be committed for trial, have a case to answer or be convicted of an offence solely on an inference drawn from such a failure or refusal as is mentioned"

in the articles referred to.

My hon. Friends have raised the question of the caution. As they will know, the matter of the caution, until the Police and Criminal Evidence Act 1984 and the codes of practice, was always a matter for the judges. The Lord Chief Justice and the judiciary of Northern Ireland are considering, at the request of the Government, the appropriate procedures that will have to be followed by the police when questioning suspects if Parliament approves the order.

That advice will be issued to the Royal Ulster Constabulary as an amended version of the present judge's rules, which apply in Northern Ireland, or as administrative guidance to the police pending replacement of the judge's rules by a code of practice under the provisions of the forthcoming police and criminal evidence order, which is being laid and is currently in draft for consultation in Northern Ireland. There will be an opportunity for the House to scrutinise it in the context of that procedure.

The hon. Members for Kingston upon Hull, North and for Sheffield, Attercliffe (Mr. Duffy) mentioned tape recording. The reasons why the tape recording of suspects in terrorist cases cannot be made known to the outside world must be clear to anyone who considers the matter. The House should remember that there is the safeguard that all interrogation of terrorist suspects in Northern Ireland is carried out in one of three holding centres under closed circuit television surveillance by uniformed police officers. That safeguard applies to every such suspect.

Mr. McNamara: Closed circuit television surveillance does not alter the fact that the contents of the tape recordings are not known.

The Solicitor-General: I will leave the hon. Gentleman to ponder his own question.

The right to a solicitor was raised by the hon. Member for Newry and Armagh (Mr. Mallon). Under the Northern Ireland (Emergency Provisions) Act 1987, any terrorist suspect has the right to a solicitor. In 1987, 212 were given immediate access to a solicitor. For reasons set out in the Act, which will be well understood by the hon. Gentleman, there are reasons why in some terrorist cases there may be a delay. However, 264 were given access in periods up to 48 hours and after 48 hours everyone had the right of access to a solicitor.

Some hon. Members have sought to argue that this is a hasty measure, which is not carefully considered and is some sort of knee-jerk reaction to terrorism. That is not so. The order is part of a reaction to serious crime generally —I am grateful to the hon. Member for Norwood (Mr. Fraser) for recognising that—in England, Wales and Northern Ireland. Conditions have changed since the Royal Commission, which was set up in 1978 and reported in 1981, and present-day experience in England, Wales and the Province appears to be significantly different from what the Royal Commission found.

My hon. Friends will remember that the debate stems from long before the work of the Royal Commission. The Criminal Law Revision Committee made its 11th report in June 1972. Members of that Committee were respected figures. I was astonished to hear the hon. Member for Kingston upon Hull, North saying that nobody who supported the order could believe in the liberty of the citizen. When one considers that the members of the CLRC were led by judges of immense experience, headed by Lord Justice Edmund-Davies and many other distinguished judges, those remarks seem deeply out of place.

The hon. Member for Newry and Armagh, whom I deeply respect, contrasted my right hon. and learned Friend the Attorney-General with Professor Rupert Cross. He said that he would prefer his opinion to that of my right hon. and learned Friend. Professor Rupert Cross was a member of the CLRC which unanimously advocated this provision and in all his books he has constantly argued for it in the most persuasive way.

Mr. Lawrence *rose*——

The Solicitor-General: The conclusions of the Royal Commission, based on the evidence then available to it, seem somewhat surprising now. Paragraph 4.46 of the report says:

"to summarise the research indicates that the privilege not to incriminate oneself is not used by suspects in the great majority of cases and keeping silent altogether is said to be very rare."

It found that the right of silence was not at that time a right that the generality of suspects chose to exercise.

The conclusions were based on fairly limited research by Mr. Paul Softley in only four police stations. It suggested that only 4 per cent. of those interviewed failed to answer at all and only 8 per cent. failed to answer some questions. I invite the House to compare that with what is now known from experience in serious criminal matters in England and Wales and from statistical evidence in relation to suspected terrorists in Northern Ireland. As my right hon. Friend the Secretary of State told the House, nearly half of all suspected terrorists fail to answer any question of substance. I hope that the House will begin to see why men of good will support the order and why learned judges and jurists throughout the country believe that it is high time that we introduced a measure of this sort.

I shall seek to allay one other misconception. Several hon. Members, in today's debate and in public comments, appear to believe that the changes proposed involve a shift in the burden of proof from prosecution to defence. That is a complete misunderstanding. The prosecution will continue to have to prove its case according to the same high standard, which is that the court and jury should be sure beyond reasonable doubt of a defendant's guilt. The case must be proved by evidence. Mere silence in the face of accusation will never be enough. That is made expressly clear in article 2(4), to which I referred earlier.

The changes allow the court or jury, applying their common sense, to draw whatever inference seems

appropriate from the silence of the accused and to consider in doing so the comments of the prosecution and the judge. Sometimes an adverse inference would be wholly inappropriate. The judge may be expected to draw that to the jury's attention. On other occasions, the failure to put forward an innocent explanation may cry out for clarification. To deny the jury the right to hear the comments of the prosecution, the defence and the judge on that failure and to ponder its significance before making up their minds is to introduce an artificial restraint, which is no safeguard to the innocent and provides unnecessary advantage to the guilty.

The measures proposed in the draft order are founded in common sense. They will restore some of the balance of fairness between prosecution and defence. They will increase the likelihood that justice will prevail in our courts and, by doing so, they will make the path of serious crime more hazardous for those striving to undermine the rule of law.

Question put:

The House divided: Ayes 274, Noes 210.

Division No. 477] **[6.59 pm**

AYES

Adley, Robert
Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Buck, Sir Antony
Budgen, Nicholas
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Sir Charles
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Speed, Keith
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*

Warren, Kenneth
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Kenneth Carlisle and
Mr. Michael Fallon.

NOES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Paddy
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Hume, John
Illsley, Eric
Ingram, Adam
Janner, Greville
John, Brynmor
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Lawrence, Ivan
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McGrady, Eddie
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Radice, Giles
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Allen Adams.

Question accordingly agreed to.

Resolved,

That the draft Criminal Evidence (Northern Ireland) Order 1988, which was laid before this House on 20th October 1988, be approved.

Associated British Ports (No. 2) Bill

7.13 pm

Motion made, and Question proposed:

That the Promoters of the Associated British Ports (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph (b) of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Second Deputy Chairman of Ways and Means.]*

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to discuss also the motion relating to the North Killingholme Cargo Terminal Bill:

That the Promoters of the North Killingholme Cargo Terminal Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bills)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.

Mr. Martin Redmond (Don Valley): On a point of order, Mr. Deputy Speaker. You will recall that when the hon. Member for Brigg and Cleethorpes (Mr. Brown) originally introduced the two Bills, I asked whether they were hybrid Bills. You rightly said that the Examiner had examined the Bills and said that they were in order. We had several discussions with the Examiner, but unfortunately the holder of the office is not the person who originally approved the Bills. We found the present Examiner perfectly acceptable and most helpful in the guidance and assistance that he gave us.

My point of order is this. While it is not your concern that the Government have put a two-line Whip on these two Bills, Mr. Deputy Speaker, that action, coupled with their past practice when these Bills have been discussed on the Floor of the House, and with what happened when they were originally moved, shows that the Government are deeply involved. Therefore, I ask you to rule that the Bills are hybrid.

Mr. Deputy Speaker: The hon. Member is right: when the Bills were originally introduced, he raised the question of the possibility, as he saw it, of hybridity arising, and on that occasion I sought guidance and was assured, as the hon. Gentleman recognises, that the Bills were not hybrid. The way that Bills are whipped is not a matter for me, as the hon. Gentleman also recognises, but if, hypothetically, the Government were to favour a particular Bill, that of itself would not make it hybrid. Hybridity is a question of the inherent qualities of the Bill, and that point does not arise.

Mr. Kevin Barron (Rother Valley): On a point of order, Mr. Deputy Speaker. On 22 July, as reported in *Hansard*, at column 1175, I questioned whether the Bills were private, because there had been a meeting between the outside promoters of the Bill and the then Secretary of State for Transport. You will recall, Mr. Deputy Speaker, that you gave your ruling on that and we were satisfied that, given that the Bill concerns the Secretary of State for Transport, there was nothing wrong with that meeting taking place.

However, it has come to my notice that, since then, the promoters of one of the Bills has met not only the Secretary of State for Transport but the Secretary of State for Energy and I can assume that at that meeting there was some discussion about the moving of bulk cargoes of interest to that portfolio through this port. I assume that there has been no meeting with the Minister of Agriculture, Fisheries and Food, to discuss the sugarbeet and other agricultural produce that will go through the port, and no meeting with the Secretary of State for Trade and Industry to discuss the iron ore and other forms of steel getting through the plant.

In those circumstances, Mr. Deputy Speaker, will you look differently at the judgment you gave earlier about whether these are private or public Bills? The Departments closely connected with them seem to be running the passage of the Bills through the House, although they are supposed to be private Bills. Could you give us another ruling on this?

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. It is high time that we managed to sort out when a private Bill is a public Bill, a Government Bill or a hybrid Bill. We are fast reaching the point when Ministers not only meet those representing South African interests on behalf of the promoters of the Bill but they put on two-line Whips to get the troops here. We know that, on the last occasion, the Prime Minister herself, although she says that she is against apartheid, trotted through the Lobby in her carpet slippers and voted for the Bill.

All those ingredients added together show that it is high time that that the Chair, in this case the Chairman of Ways and Means, should start to come to the conclusion, as many on this side of the House and the country have, that this is not a private Bill. It is an abuse of parliamentary procedure and when there is an abuse of parliamentary procedure, it reflects not only on those involved in this corrupt procedure but on the Chair. It is high time that Bills of this nature were ruled out of order. Let us get on with the next business.

Mr. Deputy Speaker: Perhaps I should deal first with the point raised by the hon. Member for Rother Valley (Mr. Barron). It appears that his recollection of a ruling that I made on a previous occasion was correct. It appeared to me quite sensible advice to give on that occasion. I shall not repeat it now, except to say that I do not think there has been any impropriety. Obviously, I do not know, nor is it a matter of concern to me, whom Ministers meet to discuss matters that come before the House, but I do not detect any impropriety.

Let me deal with the matters raised by the hon. Member for Bolsover (Mr. Skinner). I understand the concern that has been expressed several times about the private Bill procedure in the House. He will know that, in response to that concern, I took the initiative to establish a Joint Committee which has laboured long and hard. I must take this opportunity to express my appreciation of its hard work in producing a report.

After those people who are most directly affected by the report, and others, have had an opportunity to look at its recommendations and express their views, I very much hope that the House will be able to take those views into account in making its recommendations in the fullness of time. The hon. Member for Bolsover will no doubt want to take part in that debate, and I shall certainly bear him in mind.

Mr. Barron Further to that point of order, Mr. Deputy Speaker. I do not wish to disagree with your ruling, but would it be possible for the Secretary of State for Energy to be brought to the House to explain what took place at the meeting with the promoters of the Bill?

Mr. Deputy Speaker: I do not think that that is a matter for me, and I am sure that the House will recognise that.

Mr. Frank Dobson (Holborn and St. Pancras): Further to the point of order raised by my hon. Friend the Member for Bolsover (Mr. Skinner), Mr. Deputy Speaker. We are all aware of and very much welcome your initiative in encouraging the House of Commons and the House of Lords to set up a Joint Committee. We welcome the unanimous recommendations of that Committee.

One of the matters that concerns many of my right hon. and hon. Friends is that, if the Committee's unanimous recommendations were adopted by the House, this sort of Bill would not be able to get through. If the carry-over motion were not passed, these Bills would have to start all over again and the rules of the House would probably have changed to make sure that that could not be done. We are concerned that, by passing these carry-over motions or even by contemplating carrying over these Bills, we would be foreclosing on the likely decision of the House that such Bills should not be contemplated in future. We think that that is a point of order and we would like your ruling on it.

Mr. Deputy Speaker: I doubt whether the points that have been put to me are matters of order or matters for the Chair. They might be taken into account by the House in the ensuing debate. What might be the view of the House on the procedure is in the realm of hypothesis and the hon. Member for Holborn and St. Pancras (Mr. Dobson) would not expect me to speculate on what might be the view of the House in the event of the Joint Committee report being debated and decisions being reached by the House. Along with many of the other points that have been made, these are matters that the House might take into account in reaching its conclusions when the Question is finally put from the Chair.

7.23 pm

Mr. Michael Brown (Brigg and Cleethorpes): I wish to support the motions to carry over into the next Session the Associated British Ports (No. 2) Bill and the North Killingholme Cargo Terminal Bill. The House will recall that we have had several debates on these Bills. We spent about five hours on the Associated British Ports (No. 2) Bill when we considered it on Second Reading before the summer recess, and we spent almost six hours on the other Bill. After much debate and passion, the House concluded that both Bills should be given a Second Reading. Those Bills are now being considered in Committee under the private Bill Committee procedure.

I and a number of other hon. Members have attended most of the sessions, sitting in the public gallery. We all agree that progress is being made. Petitions with legitimate concerns and fears may present their case to Committee members. All hon. Members who have seen the four hon. Members concerned working during the past three weeks accept that they have been doing a marvellous job, giving petitioners every opportunity to examine and cross-examine. Associated British Ports has now concluded its case as a promoter of the Bill. It has been examined and cross-examined fiercely and effectively by those who have petitioned against the Bill. During the past week, the promoters of the North Killingholme Cargo Terminal Bill have been putting their case and their witnesses have been examined and cross-examined. There will be an important opportunity for those opposed to the Bill to present their case.

The House has resolved that the Committee is the place for these Bills to be judged. Witnesses can be called by both sides and those four hon. Members can act in a judicial capacity, looking dispassionately at the evidence before them, and conclude what recommendation to put before the House. It would be a great waste of time, particularly for the petitioners and the promoters, who have been working assiduously in that Committee, if they

found that they were unable to proceed in presenting their cases. For those reasons, it is essential that the Committee should be able to do its job properly.

Mr. Peter Hardy (Wentworth): The hon. Gentleman says that it would be a great waste of time if the Committee's work were made pointless by the decision that I and many of my hon. Friends hope will be made later tonight. However, is he not saying that the Joint Committee, which has considered the private Bill procedure, has engaged in a great waste of time, if the Bill proceeds as he proposes?

Mr. Brown: I do not agree with that analysis. I wish to echo your words of tribute, Mr. Deputy Speaker to those Members of both Houses who have presented a report with which I have a great deal of sympathy. I hope that we can have an early debate on that report.

The promoters of both Bills are sympathetic to the content of that report. For example, if I am not mistaken, the recommendation regarding carry-over motions suggests that, when private Bills have been brought before the House and given a Second Reading, we should not have to go through this kind of debate and that there should be no need for a carry-over motion. I suggest that the hon. Gentleman reads that part of the report. These two Bills, which have been before the House for the past six months, have brought into sharp focus the need for a re-examination of the private Bill procedure.

The House has spent a great deal of time considering whether the Bills should be given a Second Reading. They have been given a Second Reading and they are now in Committee. The petitioners are doing a first-rate job in assimilating the evidence that they require to present to the Committee. The promoters are also doing their job. It is right and proper to allow those four hon. Members who have spent so much time on the thankless task of serving on a private Bill Committee to continue their work. It would not be right and proper for us to intervene in that work; I very much commend the carry-over motions.

7.30 pm

Mr. Lawrence Cunliffe (Leigh): I do not question your judgments, Mr. Deputy Speaker, on the various points of order that were raised before the hon. Member for Brigg and Cleethorpes (Mr. Brown) addressed the House. I know that you sympathise with some of the sentiments which were expressed against the background of personal, industrial and social objectives.

I believe that the Bill should be opposed at all stages. I am not satisfied that it is genuine private business. Most of the Bill's provisions relate to commercial enterprise, and the machinery of Parliament has been used to serve the interests of Associated British Ports. If the Bill is enacted, various strategic elements of the British economy will be adversely affected. It is inevitable that miners, transport workers, dockers and others who work in industries associated with the ports will be adversely affected. It could be said that no one group of workers will be unaffected. The Bill embraces almost every element of our industrial society.

The House will be aware that Lord Marshall said that, on the basis of privatisation, he would be prepared to take in 30 million tonnes of imported coal. Associated British Ports cannot say how much coal its terminal will be able to import. It must, however, have engaged in market research. It will have examined its investment policy and considered cash-flow liquidity. It is clear to everyone that it is a long-term investment that is bound to yield substantial profits. Profit is the motive behind the exercise, and it will be enhanced by Government collusion. If the Prime Minister and the Secretary of State participate in voting during the passage of a private Member's Bill, we must instinctively conclude that it represents part of their philosophy. It would be nonsense to deny that.

In talking about the importation of 30 million tonnes of coal, we are talking also of the livelihoods of 47,000 miners and 7,000 or 8,000 employees in complementary industries. It costs £24,700 to make a Yorkshire miner redundant, and the bill would be about £1·16 billion if 30 million tonnes of coal were imported. That would be a waste of human resources. Valuable manpower would be thrown on the scrap heap at great expense to the nation.

A parliamentary group visited South Africa to examine its coal mining industry. It was said that the aim of the February visit was to provide the delegation with a comprehensive insight of all issues related to the South African coal industry. The ultimate motive was thereafter about 47,000 mineworkers and 8,000 others as a result of sanctions, being introduced, in effect, against the coal industry. Those workers will suffer if we do not take action against South African imports. It is ironic that parliamentarians should seek to promote activities with South Africa when other civilised nations, including the United States, are breaking their links with that country. Association with South Africa is not welcomed by most democratic nations.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): Does my hon. Friend appreciate that the cost of the rundown of manpower throughout the nation, to which he has referred, could be £559 million?

Mr. Cunliffe: I agree with my hon. Friend. I accept that figure.

The Opposition are attempting to protect and promote British interests. That has been our approach throughout. I accept that the ports are sited strategically and that coal is not the only consideration. I welcome any expansion of the ports and the economy in and around them. I am merely arguing that there should be some protection. By and large, Britain clings to the Queensberry rules, while other countries are subsidising their industries to the hilt, including the coal and steel industries. We are receiving their exports while it is argued that free marketers should be able to do exactly what they want within the market mechanism.

My colleagues and I are opposed to the procedural device that is before us. We shall take every opportunity to oppose unbounded commercialism in our effort to protect the British people.

7.38 pm

Mr. Henry Bellingham (Norfolk, North-West): I shall confine my remarks to the part of the Bill that is relevant to my constituency, including the port of King's Lynn. The provisions that relate to King's Lynn docks are entirely uncontroversial, much needed and welcomed, but perhaps it would have been better if they did not appear in the Bill. I have some sympathy with the views that have been expressed by the hon. Member for Leigh (Mr. Cunliffe) and some of his colleagues as well as the views of some of

[Mr. Henry Bellingham]

my colleagues. Having said that, I hope that they understand the position in which I find myself. The part of the Bill that affects my constituency will have a crucial effect on the docks and the local economy in future.

Mr. Eric Illsley (Barnsley, Central): Does the hon. Gentleman agree that the Bill should be split into three separate measures: the first confined to the King's Lynn terminal, the second to the Port Talbot terminal and the third to the terminal on the Humber? In that way there would be less opposition on the Opposition Benches to the provisions that attach to the King's Lynn facilities.

Mr. Bellingham: The hon. Gentleman has made a good point. It is all very well being wise after the event; but, if the Bill falls, the works in both King's Lynn and Port Talbot will fall as well. That is why I must press for the carry-over motion.

Mr. Harry Barnes (Derbyshire, North-East): An opportunity has been presented for us to rethink. Rather than being tied to a Bill containing three elements, if we do not carry it over we shall be able to introduce three separate measures in the next session.

Mr. Bellingham: It is all very well for the hon. Gentleman to say that, but King's Lynn wants to get on with the work. It wants to put the business out to tender and start as soon as possible.

Mr. Tony Lloyd (Stretford): Perhaps I can help the hon. Gentleman, who clearly faces a dilemma. His sympathies seem to lie with my hon. Friends from the coal mining industry rather than with his hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown). I assure him that if he opposed the carry-over motion, unlinked legislation affecting King's Lynn and Port Talbot could be introduced in January next year and it would receive no opposition from Labour Members. He would have his Bill much more quickly on that basis.

Mr. Bellingham: I am grateful for what the hon. Gentleman has said, but he was putting words into my mouth when he claimed that I was supporting Opposition Members. That is not strictly true. I said that I had some sympathy with the arguments adduced by the hon. Member for Leigh and others, but I also have considerable sympathy with my hon. Friends who are concerned about their local economies and are keen to promote business and expansion in their constituencies.

My hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) made some powerful points about why the carry-over should go ahead. The Committee on the Bill has been deliberating for some time, and if the motion were not passed much time and effort would be wasted. I should also like Opposition Members to understand what is happening in King's Lynn. It was once one of the country's busiest ports, ranked third in the national league. After many decades of decline in this century, it has now recorded a dramatic revival based on timber, grain and bulk commodities. It imports cars, tractors and motor bikes, and I am pleased to say that the export side is building up considerably as well.

In 1987 King's Lynn docks handled 1·5 million tonnes, and it is on target for a repeat performance this year. There are, however, numerous shortcomings. As I said when we were discussing the same measure about three months ago, the docks are tidal; they are also enclosed. They are restricted to vessels of about 3,000 dead weight tonnes, 13·8 m in width and 120 m in length. A riverside quay is desperately needed. The works allowed for in the Bill would mean that the maximum would rise to 6,000 dead-weight tonnes, and the average would be about 4,500 tonnes. The maximum length of vessels would be 140 m and the maximum width 18 m. That would make a dramatic difference to the type of vessel able to enter King's Lynn docks, which in turn would have a considerable effect on the tonnage going through the docks and on the importance of the port. The docks would be revolutionised and their future guaranteed. If the Bill does not go through existing competition from non-scheme ports will intensify.

It is ironic that Opposition supporters of the national dock labour scheme, are, by that support, making life difficult for ports such as King's Lynn. A group of non-scheme ports that have set up in East Anglia are able to compete in a number of ways, and that is putting considerable pressure on King's Lynn. If Opposition Members deny King's Lynn its expansion, I must consider the effects on my constituency, although I am mindful of the helpful comment made by the hon. Member for Stretford (Mr. Lloyd).

I should not be doing my duty if I did not vote for the motion. The local economy has gone from strength to strength: unemployment has fallen from 18 per cent. to 6·5 per cent., small firms are booming, and a whole new enterprise culture is afoot. The roads are improving and we are campaigning hard for railway electrification. Underpinning all that, however, is the success of the docks. If they are not allowed to thrive, expand and compete with non-scheme ports, that success story will be jeopardised. It would indeed be a tragedy if the motion were not passed.

Finally, let me pick up a point made by the hon. Member for Leigh. While I sympathise with his views on apartheid, I cannot agree with his views on sanctions. I recently went down Douglas and Ritspruit mines in South Africa and had a chance to talk to representatives of the South African mineworkers' union. They said that if comprehensive coal sanctions were applied, the black miners, not the white owners, would suffer most. Clearly there is a wish to do something about apartheid, but sanctions would lead to appalling misery.

I must support the motion, because, if it does not go through, there will be serious consequences for my constituency and its future.

7.46 pm

Mr. Dennis Skinner (Bolsover): The hon. Member for Norfolk, North-West (Mr. Bellingham) has been shedding crocodile tears about black people in South Africa. I suppose that he will make representations to all his friends with interests connected with South Africa and tell them to pay black workers decent wages—the same rates as are paid to whites. I wonder whether he did that when he went trotting off to South Africa, paid for by the South Africans.

It is interesting to note that the first two Conservative speakers have both come hotfoot from South Africa and that their visits were paid for. God knows how many more have done the same. I suppose that there are South African interests in the Under Gallery as well. The last time that we

debated this subject there were so many South Africans sitting there, interested in bringing coal into Britain, that it was busier than Waterloo station. They were trotting back and forth to talk to their Tory friends.

We know what the Bill is about. It was clear from the points of order that we heard earlier—during which you, Mr. Deputy Speaker, made your own enigmatic contribution, which might be interpreted differently according to where it was read out. This whippersnapper from Norfolk, North-West, before he told us that he had been on a paid trip to South Africa, kept telling us that he had some sympathy with the opposers of the carry-over motion. Then, when questioned closely by my hon. Friends, like Paddy Backdown he changed his mind in about five minutes and adopted an entirely different argument. I suspect that when he and his Friends, such as the hon. Member for Brigg and Cleethorpes (Mr. Brown), have been to South Africa they have not just been on site visits. They are part of a Tory party that is almost a wholly-owned subsidiary of South Africa, and the Bill exemplifies that.

Another reason for my opposing the motion is that this is a mammoth Bill. It is not just one of your pottering little private Members' Bills that appear on the Order Paper every Tuesday and Thursday. This is a Bill which, according to my hon. Friends, has 19 byelaws. The byelaw in clause 21 gives this company the power to dump whatever rubbish it likes into the Humber.

Some of that rubbish will no doubt filter down towards Norfolk, North-West, and I suppose that the hooray Henry opposite, the hon. Member for Norfolk, North-West, will come running to the House complaining. He will turn into one of those environment specimens that the Prime Minister has suddenly become. However, I must say that I cannot visualise this Prime Minister in a green anorak and sandals, talking about protecting the environment. I cannot see her sailing up the Humber on a Greenpeace ship looking for the rubbish—the oil and the chemicals—that will have been deposited by this firm if this carry-over motion is approved. I cannot visualise this faded blonde aboard a Greenpeace ship clearing up the rubbish.

We saw the Prime Minister in St. James's park, with the Secretary of State for the Environment on hand with a little bag, but I cannot see her on that Greenpeace ship clearing up the muck in the Humber. However, I can see her husband not far behind with an Attwoods flag in his hand—representing a waste disposal company of which he is the deputy managing director—running to this firm called Simon Engineering, which is a promoter of the Bill, and saying, "We will pick up some of the rubbish. I have Karen B just outside and we will take it provided that the money is right—and we will have a gin and tonic on it while we are at it." The Government have the cheek to talk about the environment, when hidden in this private Bill is the facility for this company to dump oil and chemicals.

I am against this carry-over motion, too, because of the point that I made on two previous occasions about the Chairman of the Committee. He has sat in the House. He was in the House on the last occasion that I raised this matter during business questions. I believe it is a scandal that the Tory party, having failed to put one of its South African Members—one of the hon. Members with interests in Johannesburg—on to this Committee, has found it necessary to make the Chairman of the Committee, who represents the Tory interest, none other than the hon. Member for Rochford (Dr. Clark). It may be that he did not want the job of Chairman of the Committee, but it stinks in the nostrils, because Simon Engineering, the promoter of the Bill, has a subsidiary which is a member of a trade association, the British Chemical Engineering Contractors Association, whose address is 1 Regent street—just up the road—and the hon. Member for Rochford is a paid parliamentary adviser to that association.

Mr. Deputy Speaker: Order. Before the hon. Gentleman goes further, I should advise him that in the light of his representations, Mr. Speaker had careful inquiries made into the allegations, which he is now repeating to some degree, and was satisfied that there was no degree of impropriety whatsoever.

Mr. Skinner: All I have to say is that there was never any chance of one of the Opposition Whips or representatives going along to members of the miners' group and saying, "We know that you are a sponsored member of the National Union of Mineworkers. We are going to put you on this private Bill." I have a sneaking feeling that if that recommendation had gone to the Chairman of the Committee of Selection—another Tory, the hon. Member for Shipley (Sir M. Fox)—he would have ruled it out of order. I repeat what I said earlier, that the Bill should have been stopped the moment that that Tory Member was allowed to go on that Committee and, even further, was made its Chairman.

History will record that this private Bill procedure has been rotten to the core from the moment that these two Bills hit the Floor of the House. It is no coincidence that they come from apartheid-ridden South Africa, which wishes to export coal to Britain, when the wages paid to black people are one seventh of those paid to white people who work in that ill-fated province. Botha's regime is represented right across the Tory party. I am fed up to the back teeth with hearing Tory Members saying, "We are against apartheid, but . . ." When they get the opportunity to bolster their interests in the Botha regime, by Christ they do it.

There was no better example of that than when the Prime Minister went belting through the Lobby on the last occasion, carrying well over 150 Tory Members with her, to get rid of jobs in Britain. By God, what a place it has become. Then the Tories stand up and talk about apartheid. They go trotting off to meetings here, there and everywhere, saying that they are against it, but on every possible occasion they pour money into the pockets of those who are depriving the massive majority of the population of votes.

They then have the cheek to tell us that they are worried about the blacks in the pits. They are not worried about the coal miners in Yorkshire, Durham, Derbyshire or even in the Nottinghamshire and the midlands coalfield—those who bailed out the Government during the 1984-85 strike. They used those miners in the Nottinghamshire coalfield, and now they come along to the House and say, "We will pass a Bill and kick them out of their jobs"—all those people in the bosses' union.

Mr. Cunliffe: May I declare an interest? On the question of the Queensberry rules, on 6 October a South African ship called the Fasiline Avra arrived at Killingholme. It had on board 26,500 tonnes of South African coal. It was bought by William Reed of Solid

[Mr. Cunliffe]

Fuels, associated with Simon Engineering, screened by Coalite and then sold to the CEGB by trickery and deception. That is the sort of tactic that we face. And then they plead for the African miner and the British miner, who are brothers in arms in the search for freedom.

Sir Anthony Grant (Cambridgeshire, South-West): Will the hon. Gentleman give way?

Mr. Skinner: The hon. Gentleman might get in eventually. The hon. Gentleman received a knighthood because he grovelled to that Front Bench. What a man. He reckoned to be protecting the interests of people in Cambridge who were going to knock hell out of the Government for about five minutes in 1986-87, but nearer to the election he went running a mile and someone said, "Shut your mouth and we will give you a knighthood." So he went and practised like Cyril Smith.

Sir Anthony Grant *rose*——

Mr. Skinner: Get yourself down. What I am saying is that the hon. Gentleman should have a word with his hon. Friend the Member for Brigg and Cleethorpes, because he knows the way to South Africa on a freebie. He knows how to get there for several days or several weeks. If the hon. Gentleman has not already been there, he can get on a trip. If his hon. Friend the Member for Brigg and Cleethorpes does not give him the advice, he should talk to his hon. Friend the Member for Norfolk, North-West, who will tell him how to get there. The hon. Gentleman has a multitude of friends in the Tory party who know the way to South Africa without putting their hands into their back pockets. If the hon. Gentleman wants to get away from the Prime Minister because he is fed up to the back teeth with her, he should ask them the way. He will be told and provided with the money.

Sir Anthony Grant *rose*——

Mr. Skinner: No. I have some hon. Friends who want to speak when I have finished.

Sir Anthony Grant: I shall not be long.

Mr. Skinner: You want to be worried about the balance of payments.

Mr. Deputy Speaker: I wish that the hon. Gentleman would stop referring to me.

Mr. Skinner: You are worried about the balance of payments. You are worried about unemployment in Doncaster if the Bill is passed and thousands of miners' jobs are lost in that area. You will be running along there with my hon. Friends from Doncaster trying to find the answers. I know that deep down at least—I might be stretching a point here—you know that everything that our people have had to say on this issue has been bang on the nail. You know only too well, Mr. Deputy Speaker, that this means a black day for British miners. It means that jobs will be lost.

Mr. Lofthouse: It means that 76,000 jobs will be lost.

Mr. Skinner: My hon. Friend the Member for Pontefract and Castleford (Mr. Lofthouse) gave us that figure in a previous debate, and that is the total if we include the spin-off jobs.

Our mining industry adds about £500 million to the balance of payments. The other day the Chancellor of the Exchequer had the audacity to say that one of the reasons why the Government had been able to pay so much money in debt repayments was that they had saved £1,000 million because dole queues had decreased. We are opposing the carry-over motion because we do not want more people thrown on to the dole. The Bill will mean that more people will have to go to employment exchanges, and that will mean a loss of revenue—just the opposite of what the Chancellor of the Exchequer said the other day. I have no doubt, however, that he will be telling his friends to turn up in the Lobby tonight.

This year we have a £13 billion balance of payments deficit and a massive manufacturing trade deficit, but here we are talking about giving commercial opportunities to South African and other foreign interests within the Common Market to launder coal through ports such as Amsterdam and Rotterdam. Coal will be brought into this country via those ports and will make our balance of payments deficit worse. Not only are the Government going to throw people out of work, but they are going to add to the £13 billion deficit that already exists.

If one considers why we have got into this mess with our balance of payments, it is clear to everyone that it is because our manufacturing industry has been decimated because our coal industry has been hammered, and because we are importing so much oil. We went through it all before in the 1950s and the 1960s. We warned the Tories about importing coal and running down our mining industry. Then the result was another balance of payments crisis. For a temporary period in our history, however, we have recently managed to overcome the problem as a result of North sea oil. Yet, here we are with North sea oil still available, but with a massive balance of payments deficit. The Bill will make matters worse. No wonder those in West Germany and Japan are laughing all the way to the bank. They are sitting on a $120 billion surplus between them, but we are getting further and further into the mire.

I am concerned about those miners and others who will be thrown out of work in Doncaster, Derbyshire, Durham, Nottinghamshire and the rest of the midland coalfields. Everyone should be concerned about that—my hon. Friends and I certainly are.

Mr. Martin M. Brandon-Bravo (Nottingham, South) *rose*——

Mr. Skinner: I shall give way to the hon. Gentleman because I believe that he voted with us on one occasion.

Mr. Brandon-Bravo: The hon. Gentleman is quite right. My colleagues and I voted with him on 23 June. The hon. Gentleman is making an emotional address to the House. He is usually a fair man, and I think he should recognise that, on that night, only 63 people voted with him, 11 of them Tory Members. I do not believe that that suggests that there is strong support within the Labour party for opposition to the Bill. Can the hon. Gentleman explain that to the House?

Mr. Skinner: It is quite simple. I am not the Chief Whip of the Labour party. We have never had a Whip on this Bill. Because of my emotions about the Bill, I believe that more of our people should have been there for that vote. I am sure that the hon. Member for Nottingham, South (Mr. Brandon-Bravo) will recall that, on the second

occasion, we doubled our numbers. I should like to think that on this occasion even more of my hon. Friends will be here, but I should tell the hon. Gentleman that, unlike the Tories, we have not put a Whip on the Bill.

From the beginning the Tory party has not considered that the Bill represents narrow private interests. They have always seen it as a way in which to help South African interests. The Tories allowed the hon. Member for Nottingham, South to have a token vote against the Bill. Why? Because his constituency is part of the Nottinghamshire coalfield, and the Government wanted the people in the Union of Democratic Mineworkers to say, "We got our man to vote for us." The Tories allowed that in the knowledge that for every 10 people who voted with the Opposition, they could bring in another 50 to cancel those votes.

Mr. Redmond: I wonder whether we can clear up this matter of the Tory Whip once and for all. I wish that the Conservative Members present were honourable enough to tell the House that there is a two-line Whip on the Bill, because Tory Members who are not in the Chamber have told us that that is so. Are the Conservative Members present calling their colleagues liars? I would sooner believe their colleagues. It is true, because I have seen the agenda paper submitted by Conservative Whips.

Mr. Skinner: My hon. Friend is absolutely right. He comes in early in the morning and, during the past few years, I have noticed how he has begun to get the feel of this place. He has got to know what is happening. I have seen him go down to that Tory side of the Tea Room where there is a little barrier. Initially I thought that he was just reading the papers, but I think that he has been hanging the tab. He has found out what has been going on. If he says that there is a two-line Whip, my guess is that——

Mr. Brandon-Bravo: On a point of order, Mr. Deputy Speaker. I wish to discuss factual information rather than opinion. I have a note from my Whip which says that there is Government business later tonight, for which I am needed as a Parliamentary Private Secretary, but that I am perfectly free to vote as I will on this Bill. I believe that that applies to everyone else on the Conservative Benches.

Mr. Redmond: Further to that point of order, Miss Boothroyd. Whether the hon. Gentleman has had permission from the Whips to vote freely one way or the other is not the issue. Let me tell the hon. Gentleman that the Tory Whips have put a two-line Whip on this Bill. Later on this evening, the Tories will come out of their rat holes to support the hon. Member for Brigg and Cleethorpes.

Mr. Skinner: I agree with my hon. Friend. The reason why the hon. Member for Nottingham, South does not believe that there is a Whip is that he is one of the Conservative Members representing Nottinghamshire. He is that naive that he does not understand that the Tory party has issued a two-line Whip to everyone except those representing Nottinghamshire. The hon. Gentleman is not smart enough to understand that he is being left out. My hon. Friend sussed that out at the beginning. The Tories are kidding the hon. Member for Nottingham, South on.

Mr. Michael Brown *rose*——

Mr. Skinner: No, get off to the American embassy.

Another reason why we are against the Bill is that we know that it is a review to privatisation, not just of the coal mining industry, but of the electricity industry. Those are all sound political reasons for the Bill. Our argument is not about private Bills, but about political will and the Government wanting to help their own interests. They want to line the pockets of those who have connections with South Africa. The purpose of the Bill is to bring in coal from South Africa, and that will lead to British pits being closed down. As a result, more people will be on the dole and we shall have a bigger balance of payments problem.

The Bill has been an abuse of parliamentary procedure from beginning to end. Every Member on the Labour Benches is opposing this carry-over motion. That opposition does not come only from my hon. Friends who represent the mining industry, but also from those who represent the docks industry. We know that jobs will be lost because of the Bill. We want to save jobs and we want to save money. We also want to ensure that the procedures of the House are not abused in the way in which they have been on this occasion.

8.8 pm

Mr. Andy Stewart (Sherwood): This debate gives Members a further opportunity to highlight the dangers to our coal industry if the proposed Humber ports are allowed to proceed. Before proceeding with arguments against the motion, I should like to say that when the hon. Member for Bolsover (Mr. Skinner) denigrated the Chairman of the Committee which considered the Bill, my hon. Friend the Member for Rochford (Dr. Clark), he did not help our case one bit.

The widespread fear about the Bill is that the new ports will allow the United Kingdom market to be flooded with imports of subsidised coal, much of it possibly dumped on the market. If that took place, it could have a severe effect on the British coal industry, leading to colliery closures.

The supporters of the Bill have told the House of its virtues in job creation, cheaper coal and cheaper electricity, but they have omitted to tell us for how long those conditions will apply. Is it one year, five years or more? Have their memories dimmed so much that they have forgotten the cartel hype in oil prices in 1973, 1979, and 1981, and the fact that our only protection from international blackmail at that time was our coal industry, giving predictable prices to its major buyers in the short and longer term, which no importer of coal will give or can contemplate, considering the fluctuating value of the dollar?

Today's world market coal prices are 40 per cent. higher than a year ago. Since I spoke on Second Reading of the Associated British Ports (No. 2) Bill on 11 May, prices have risen by 15 per cent—in all, equivalent to a £10 per tonne increase. Therefore, before the House makes an irreversible decision, we should let the past be a guide to the future. It tells us two important facts: first, that indigenous supplies must be available at all times; and, secondly, that they should be at known prices and with fixed long-term contracts. We shall have neither of those things if the ports are built, giving unscrupulous foreign coal producers the opportunity within six months to decimate the industry, with premature colliery closures.

[Mr. Andy Stewart]

Apart from the human tragedy of job losses, that would liquidate without return the billions of pounds invested on behalf of the British taxpayer in the coal industry.

Mr. Hardy: The hon. Gentleman referred to unscrupulous importers. He will be aware that in the past 12 months a substantial quantity of coal has been imported to this country, labelled as Dutch coal produced in the Netherlands. The hon. Gentleman will know well that there are no collieries in the Netherlands and that that coal imported into Britain that is described as Dutch is actually South African. As he has perceived that there is unscrupulous conduct, will the hon. Gentleman join us in asking the Minister to respond to the point that unscrupulous and probably unlawful behaviour has already taken place? Our opposition to the Bill would discourage unscrupulous operators from further dishonesty.

Mr. Stewart: I had better make it clear what I said. I referred to unscrupulous foreign coal producers. There is a difference. One must be careful not to lump all importers into the group that the hon. Gentleman describes. However, the Minister was listening to what the hon. Gentleman said.

I can hear our opponents saying, "So what? British Coal has caused enough trouble in the past 15 years with three strikes, vast expenditure of taxpayers' money and a dangerous exposure of elected Governments to extraparliamentary pressure." It is a straightforward question which deserves a straightforward answer. Those days are behind us for good and the coal industry is back on the road to being a modern and respectable business. The central policy at the heart of everything that British Coal has been doing is the judgment that, if it is to survive, the coal delivered to its United Kingdom customers must match the sustainable price of international coal delivered to United Kingdom users. "Sustainable" means the price that could reasonably remunerate new investment in favourable geological conditions in exporting countries.

The other half of the equation is about bringing our costs down to meet international coal prices as they come back into balance. The transformation in British Coal since the strike is remarkable. The latest productivity figure is up 74 per cent. and our costs are down by over 30 per cent. in real terms. The last time British Coal increased its prices in line with inflation was at the start of 1981. With a further price freeze that means that, in real terms, coal prices will be over 25 per cent. down on four years ago.

Mr. Lofthouse: The hon. Gentleman mentioned all the wonderful achievements in the coal industry, which we are all pleased about. The price of coal to the Central Electricity Generating Board is about £42 a tonne compared with £20 to £28 a tonne for imports of coal subsidised by foreign Governments. If that continues, how can we hope to compete?

Mr. Stewart: The hon. Gentleman is absolutely right. That is why I shall vote against the motion. Within six months, some of our marginal collieries could be closed. Perhaps it will lead to job losses. However, the British coal industry and those who work in it are taking steps to enable us to compete with that imported coal, but not at subsidised prices.

From that experience, it is now possible to look forward to the final stage of the transformation of British Coal. By 1990, British deep-mined coal will compete well with any imported coal, but will it be allowed fair and unfettered competition? I believe not, because the stakes are too high for the exporting countries to allow the British coal industry the time to complete its transformation. For me, the risks not only to the Nottinghamshire and other coalfields, but to those who work in the industry, particularly the 27,000 in Nottinghamshire, are too great. Therefore, I ask the Houe to reject the motion.

8.17 pm

Mr. Alan Meale (Mansfield): I take great pride in being called to speak against this bad Bill. It is important to consider the effect on Nottinghamshire if the Associated British Ports (No. 2) Bill proceeds through the House.

One of the primary reasons why we should not carry the Bill over into the next Session is that, beyond any shadow of a doubt, it is racist. If any Conservative Member doubts that, he should recall the words of a South African Prime Minister, who said that every £1 invested in South Africa was another brick in the wall of apartheid. That will happen if the Bill proceeds. Without any shadow of a doubt, that has been one of the prime motivations for the Bill because if the ports proceed, imported South African coal will take over British Coal's market in the United Kingdom. The Bill seeks purely to secure a major trade route for imported coal into Britain, particularly South African coal. It seeks to undermine current port capacity and takes no account of the effect on the coalfield communities.

Both these private Bills represent purely commercial interests and should not have been taken in the manner in which they have been treated. They will undermine the national interest, with our future dependence on the importation of foreign coal. The Conservative party has a great belief in privatisation. We should remember that the Bills will greatly devalue national assets. We still have many decades of coal supplies left. The value of coal mines, with their plant and machinery and the investments that are being made, will be vastly reduced if the Bills are enacted. Most important of all are the mining communities that have invested their lives in the British coal mining industry.

I should like to refer to an article, which was passed to me recently, that concerns South African coal imports. The article appeared in "*SA Coal Insight*" and gives a detailed account of the visit made by the hon. Member for Brigg and Cleethorpes (Mr. Brown). The article says:

"The aim of this February visit was to provide the delegation with a comprehensive insight into all the issues related to the South African Coal Industry. The ultimate motive was to explain the threat that exists to 30,000 mine workers and 8,000 associated workers through the imposition of sanctions against the coal industry."

I want to ask the hon. Gentleman what will happen to the British coal mining industry. Should we not be concerned about that? Some of my hon. Friends have referred to the 76,000 jobs in the mining communities—50,000 directly in coal mining and 26,000 in subsidiary areas. Those jobs are not in the affluent south, but in the midlands, the north, Wales and Scotland, which already have high levels of unemployment.

Mr. Lofthouse: Does my hon. Friend agree that the hon. Member for Sherwood (Mr. Stewart) ought to notify miners in his constituency that the Central Electricity Generating Board's figures show that, of the 19 pits in Nottinghamshire, nine will close? He should tell them that his own Government are pushing through Bills that, if successful, will lead to the closure of nine pits in Nottinghamshire.

Mr. Meale: To add to what my hon. Friend has just said, I should like to draw the attention of the House to the unemployment figures for the Mansfield area—which covers Sherwood and parts of Ashfield. Because of Government policies that have been pursued since 1979, there is considerable idle labour in Mansfield. At the moment, 6,224 men and 2,188 women remain idle, so there are now 8,412 people who are unemployed because of the Government's policies. As a result of the Government's trade policy and their inability to act in the textile industry, the largest knitwear manufacturing base in the EEC announced its closure two weeks ago, and a further 850 jobs will disappear.

Let us consider the unemployment figures elsewhere. In Nottinghamshire, 47,500 people are unemployed, in Leicestershire, where there are also coal mines, 25,668 are unemployed, and in Derbyshire the figure is 38,275. The total unemployed in those areas is about 112,000.

The Bills will have a considerable effect on the Nottinghamshire pits. Already, 50 million tonnes of the coal produced in Nottinghamshire, Yorkshire and Derbyshire goes directly to power stations in the area. It has already been explained that, if the ports are developed, the CEGB will purchase South African and other imported coal. According to the Select Committee on Energy, in the first year, the West Burton area power stations will use 500,000 tonnes of imported coal and in the third year, the figure will be 8 million tonnes. That will lead to 15 pit closures out of the 18 remaining pits in Nottinghamshire.

Mr. Michael Welsh (Doncaster, North): There is another point to be added. If cheap coal comes from South Africa, does it not mean that British Coal will be unable to plan new investment and that investment in new pits will stop because British pits will not have the chance to supply coal? A pit is not like a factory—it cannot close and then open again. The critical path is 10 to 15 years. Therefore one must plan ahead. We shall lose millions of pounds as a nation because of cheap coal. The importers will have their hands on the tap and will be able to turn it on or off to suit themselves, as the oil producers did in the 1950s and 1960s.

Mr. Meale: That is absolutely true. I also draw that point to the attention of the hon. Member for Sherwood (Mr. Stewart) and other hon. Members from Nottinghamshire who have turned up to vote against the Bills, and I thank them for coming here.

All the pits in Nottinghamshire that supply power stations will be affected. Blidworth colliery supplies 51 per cent. of its coal direct to power stations, Calverton supplies 80 per cent., Ollerton 87 per cent., Thoresby 93 per cent., Creswell 95 per cent., Harworth 97 per cent., Bilsthorpe 98 per cent. and Silverhill 98 per cent. One hundred per cent. of the production at Bevercotes, Cotegrave, Sherwood, Welbeck and Clipstone goes directly to power stations. As the hon. Member for Sherwood knows, six of the pits that I have mentioned have been included, in the past few days, in the review procedure that British Coal is carrying out in the Nottinghamshire area.

Mr. Andy Stewart: That is entirely untrue. The review procedures are not those that the hon. Gentleman has come across before. They are the normal discussions that take place every three months in those collieries. I investigated the matter on Monday, and I was given that assurance by British Coal and the trade unions.

Mr. Meale: I hope that those assurances are better than the ones that I and other hon. Members have received in the past from British Coal in Nottinghamshire. Undoubtedly, the decision whether to keep open some of those collieries in the near future will be influenced by whether the Bills are passed tonight rather than being carried over into the next Session. Areas such as Mansfield, Bolsover, Chesterfield and parts of south Yorkshire will be faced with utter turmoil and destruction unless the Bills are defeated this evening.

Mr. Bellingham: Can the hon. Gentleman say with his hand on his heart that the evidence is that there will be a big increase in the volume of imported coal? If the market were able to accept such volumes, it would surely have done so already, as reasonably good facilities exist. What evidence does the hon. Gentleman have?

Mr. Meale: I wish that that hon. Gentleman had listened when I referred to the report of the Select Committee on Energy. The CEGB in the West Burton power station group will take 500,000 tonnes in the first year, 2 million tonnes in the second and 8 million tonnes in the third. That will lead to the closure of some of the pits in Nottinghamshire.

If the hon. Gentleman wants other examples, I draw his attention to the imports that are already coming in and to one of the companies that is involved in these Bills—Van Ommeron, the Dutch company which imported into Europe 5·8 million tonnes of South African coal last year, of which 2·9 million tonnes came directly into the United Kingdom. Every tonne of coal that comes into this country puts British mining jobs at risk; no hon. Member can dispute that.

I remember asking the hon. Member for Johannesburg in the previous debate whether he had ever held any position or received any gift from any of the companies involved in the Bill.

Mr. Michael Brown: On a point of order, Madam Deputy Speaker. I think that the hon. Gentleman's question was directed to me. I am the hon. Member for Brigg and Cleethorpes, but I presume that the hon. Gentleman was referring to me.

Madam Deputy Speaker (Miss Betty Boothroyd): Perhaps the hon. Gentleman will make that clear. I call Mr. Meale.

Mr. Meale: Thank you, Madam Deputy Speaker. During the past 12 months and more, I have heard the hon. Gentleman's references to South Africa many times, so I automatically assumed that he represented Johannesburg. I apologise for that.

Mr. Michael Brown: I was asked why I should be promoting the Bills and what my relationship was with

[Mr. Michael Brown]

Associated British Ports and the promoters of the North Killingholme Cargo Terminal Bill. I have no position, and I derive not a penny from either company, although I have to admit that I was given lunch at the headquarters of Associated British Ports, when we discussed whether it would be proper for me to sponsor the Bill. The simple reason for my sponsoring the Bills is that the major works involved in both are to take place in my constituency. I would say to my constituents and to members of political parties outside the House that I hope that if there were ever a Labour or a Liberal Member of Parliament for Brigg and Cleethorpes, he too would promote such Bills.

Mr. Meale: I remind the hon. Gentleman that he accepted a free trip to South Africa. That raises the question whether it is ethical for an hon. Member to accept such a gift when he is a member of a Committee of the House that is discussing related issues. That is the moral question that the House will have to consider, and I only hope that it will make the right decision.

8.31 pm

Mr. Martin M. Brandon-Bravo (Nottingham, South): The passion felt by Labour Members is clearly not matched by a willingness to put their time and their votes where their words suggest they should. Their opposition may make very good copy for the press and the media as it did in June, but that is about the limit. Words are enough as long as they appear in the paper—*[Interruption.]* Opposition Members' criticism is that there is an organised lobby. You must look into your own hearts to make up your own minds.

Madam Deputy Speaker: Order. I am sure that the hon. Gentleman is not speaking to the Chair.

Mr. Brandon-Bravo: I apologise, Madam Deputy Speaker. Opposition Members must look into their own hearts and consciences and decide whether their conduct in June matched the passion of their speeches.

As part of the debate about carrying over consideration of the Bills, I think that it is relevant to remind the House that the vote in June was no late-night vote on a Thursday, when one could perhaps have forgiven Scottish and other Labour Members for catching the sleeper home. The vote was taken at 8·29 pm. At that time, early in the evening, only 63 hon. Members voted against Second Reading and 11 were Conservative Members. I shall not waste the time of the House by reading out the list, but I suggest that the absence of the other 150 Labour Members should be a matter of shame for them.

Mr. Lofthouse: Will the hon. Gentleman also inform the Nottinghamshire newspapers that the Government shoved the measure through by the payroll vote?

Mr. Brandon-Bravo: That is one of the defences that Labour Members have put around to try to cover their tracks on that disgraceful affair.

That night, to my certain knowledge, three Conservative Members who voted against Second Reading were Parliamentary Private Secretaries. They had a clear undertaking that the Government took no position and that they were perfectly free to vote as they chose. There is no way that the Government can be accused of wheeling out the payroll vote.

Mr. Tony Lloyd: Will the hon. Gentleman comment on a conversation that took place between the Parliamentary Under-Secretary of State for Education and Science and the hon. Member for Brigg and Cleethorpes (Mr. Brown) in the Tea Room earlier today? The hon. Member for Brigg and Cleethorpes was asked about the whipping arrangements for this business and said, "It is whipped but we are supposed to be keeping that quiet." It is a two-line Whip for Ministers, is it not?

Mr. Brandon-Bravo: I am sure that my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) can speak for himself, although it is fair to say that if one is sponsoring a private Bill, one will use every method in one's power to get the minimum 100 people into the Chamber. I know that my hon. Friend was almost soiling his pants in June because, if the debate had gone on for another 15 or 20 minutes, Conservative Members who did not have strong views would already have been on their way home and he would not have succeeded in getting the closure motion passed. Only 95 Conservative Members voted for Second Reading 15 minutes after the closure motion was passed. That proves the point that the Tories had begun to go home. The greater shame was that only 35——

Mr. Hardy: Humbug.

Mr. Brandon-Bravo: It is true. The record shows that only 35 voted against, and 11 of those were Conservative Members. That seems to suggest that only 20 passionate supporters of the coal industry on the Labour Benches bothered to stay later than 8.30 pm that night.

Mr. Bellingham: Is my hon. Friend aware that a number of those Labour Members present tonight were not among that number? Is that not extraordinary?

Mr. Harry Barnes: Will the hon. Member for Nottingham, South (Mr. Brandon-Bravo) give way?

Mr. Brandon-Bravo: Yes. I agree to give way, but we shall go on all night at this rate.

Mr. Barnes: Will the hon. Gentleman grant that Parliament is not just about going through the Lobbies? It is about debate. Debate is supposed to be an important part of our proceedings, especially in connection with private Bills, as hon. Members may be persuaded by such debate. On the Conservative Benches, the debate has involved the four hon. Members who have spoken tonight, the Minister and the hon. Member for Newark (Mr. Alexander). The Labour Benches have been full of hon. Members who have wished to involve themselves in the debate but who have been prevented from doing so by the pressure of time. At the end of each of the five debates, Labour Members have been jumping to their feet seeking to catch Mr. Speaker's eye.

Mr. Brandon-Bravo: It is also worth pointing out that only one senior Minister was here that night in June. Of course the House is about debate. Labour Members must surely concede that the understandable passion displayed in June—and again tonight, by the hon. Member for Bolsover (Mr. Skinner)—should have been matched by action and that more than 20 Labour Members should have bothered to stay behind to defend the mining industry. That is a matter of shame for Labour Members. Certainly you may——

Madam Deputy Speaker: Order. The hon. Gentleman is not addressing the Chair.

Mr. Brandon-Bravo: I beg your pardon, Madam Deputy Speaker. Labour Members may criticise Conservative Members for voting to give the Bill its Second Reading, but a substantial number of Conservative Members want free enterprise. They want competition from imports and argue that the lower electricity prices that will ensue will be better for other industries, which might create more jobs. Those are the arguments advanced by Conservative Members in favour of the Bill. For all the debate and for all the arguments and passion from the Labour Benches, only 20-odd Labour Members bothered to be there to vote in June. That is a matter of shame.

Throughout the debates on these Bills, the South African connection has damaged the Opposition's case more than it has helped it. I understand the arguments about the Dutch connection. It always puzzles me to hear from Opposition Members that ours is the only country in Europe which is sympathetic to South Africa; they go on to say that the Dutch are sending us relabelled South African coal. That seems a little contradictory. I remind the House of the careful and well reasoned speech of my hon. Friend the Member for Broxtowe (Mr. Lester), who said that South African coal is of minor consequence and is not the main argument used by those of us who oppose the Bill. As my hon. Friend said, the real threat is from opencast coal from Colombia, Australia and China, which is to be sold as a means of earning hard currency——

Mr. Ronnie Campbell (Blyth Valley): Is the hon. Gentleman aware that, because of sanctions, South Africa has been losing 9 million or 10 million tonnes a year in sales? Somehow those losses must be made up—hence these coal Bills, which are designed to create another market for South African coal.

Mr. Brandon-Bravo: The hon. Gentleman misses the point. I am not disputing whether we should import coal from South Africa. I acknowledge the arguments on both sides. My point is that Conservative Members representing Nottinghamshire, Derbyshire and Leicestershire believe that South African coal is a minor part of our opposition to the Bill. The greater threat of imports is from Colombia, Australia and China, and we should be concentrating on that.

I understand the remarks made by the hon. Member for Mansfield (Mr. Meale) about racism, but I am trying to leave that out of the debate——

Mr. Martin Flannery (Sheffield, Hillsborough): The hon. Gentleman, of all people, should understand racism.

Mr. Brandon-Bravo: —and not for the reason given by that silly man. I beg your pardon, Madam Deputy Speaker, but Conservative Members are being criticised and personally insulted for not going along with the knee-jerk reactions of the hon. Member for Sheffield, Hillsborough (Mr. Flannery), who calls us pro-South African.

Madam Deputy Speaker: Order. I understand that tempers are running high on this matter, but hon. Members should be addressed correctly.

Mr. Brandon-Bravo *rose*——

Mr. Flannery: The hon. Gentleman has referred to me in scathing terms. My hon. Friend the Member for Mansfield (Mr. Meale) talked about racism. We know that the black South African workers support sanctions. They are poor people, hounded into compounds, who produce cheap coal with which our miners cannot possibly compete. If the hon. Gentleman supports that system but denies that it is racist, let him square that with his conscience.

Mr. Brandon-Bravo: I do not seek to deny or challenge any of those points, but by focusing almost exclusively on the importation of South African coal, via Rotterdam or anywhere else, Opposition Members undermine the case we are trying to make.

Conservative Members have other reasons——

Mr. Flannery: Additional reasons.

Mr. Brandon-Bravo: Granted, but the main thrust of our argument is that Colombian, Australian and Chinese coal will enter this country. That is why we oppose the Bill; the South African connection may be an additional reason for opposition. In speech after speech, Opposition Members have attempted to make a virility symbol of their attitudes to South Africa, which undermines their case——

Mrs. Alice Mahon (Halifax): I am a little confused about the hon. Gentleman's reference to Colombia, a country in which there is a human rights crisis. Fewer than six lawyers are left to defend trade unionists there. Would you expound on that a little?

Madam Deputy Speaker: Order. The hon. Lady should address her remarks through the Chair.

Mr. Brandon-Bravo: I cannot comment on that point, but the hon. Lady is making my case for me. The position of labour in Colombia is appalling, which is why its coal is priced far below a sum that could be called the result of fair pricing. British Coal is faced with unfair competition from Colombian coal. That is why I oppose the Bill and hope that enough hon. Members will enter the No Lobby to ensure that it is not passed.

8.48 pm

Mr. George J. Buckley (Hemsworth): The hon. Member for Nottingham, South (Mr. Brandon-Bravo) concentrated his arguments on the shortcomings of Opposition Members who have not voted against the Bill after previous debates. I remind him that he must also criticise Conservative Members who support the Bill in spite of all the things that he has said. They support unfair competition and apartheid coal from South Africa. They support the running down of British Coal and an increase in unemployment. They support the waste of capital investment by British Coal in this country. The hon. Gentleman should criticise his hon. Friends for that support.

We base our opposition on the impact that the proposals will have on, and their economic consequences for, our constituencies. The hon. Member for Norfolk, North-West (Mr. Bellingham) spoke of the Bill's importance to King's Lynn and reminded us that in a previous debate he had said that the Bill would generate about 100 jobs in his constituency. I commend the hon. Gentleman for promoting the interests of his constituents,

[Mr. George J. Buckley]

even though unemployment in his area is only 6·5 per cent., but I remind him that we in the mining communities suffer from unemployment that is three times as high.

In Hemsworth, unemployment is currently 18 to 20 per cent. Historically, the constituency has depended on coal mining. This week British Coal announced that 1,000 more mining jobs are at risk, on top of the 11,000 that have been lost in Wakefield metropolitan district area in the past five years. So the South African connection must not be seen in isolation from its direct consequences for people in our constituencies, who will suffer if the Bill is passed.

Mr. David Hinchliffe (Wakefield): Is my hon. Friend aware of the consequences for the mining engineering supplies industry, which is still a major employer in my constituency? So far this year, 253 jobs have been destroyed in that industry. Does he agree that it is a disgrace and a gross misuse of Parliament that the hon. Member for Brigg and Cleethorpes (Mr. Brown) should represent the interests of a Fascist regime, so helping to create jobs and assist economic development in that Fascist regime at the expense of places such as Wakefield?

Mr. Buckley: I thank my hon. Friend for making that important point. Reference has been made to this measure allowing 10 million tonnes of coal to be imported, possibly making 40,000 miners redundant, and now my hon. Friend the Member for Wakefield (Mr. Hinchliffe) has added another dimension by drawing attention to the knock-on effect on the mining engineering supplies industry.

Mr. Bob Cryer (Bradford, South): My hon. Friend the Member for Hemsworth (Mr. Buckley) is making an excellent speech. Does he agree that the general multiplier is three, and that if the jobs of 40,000 miners are at stake, that means the total number at risk will be about 120,000, as jobs in the service and supply industries will also disappear? Unquestionably, some of them will be in the small firms about which the Tories are supposed to be concerned. Nevertheless, Conservative Members intend voting in a way that will squash those small firms.

Mr. Buckley: I accept the point made by my hon. Friend the Member for Bradford, South (Mr. Cryer).

This matter is not only political; it affects the country's economy. The Bill will be to the detriment not only of mining communities, such as Hemsworth, but of other areas of the country, as has been mentioned by my hon. Friend the Member for Wakefield. The Prime Minister persistently claims that she and her Government are backing Britain, whereas they are undermining the British economy, and the mining industry in particular, by obtaining the approval of the House for this Bill. There seems to be a conflict of policy because the Government appear to be pursuing a line that will jeopardise our mining industry in the not-too-distant future.

One of the problems confronting British Coal is that it was encouraged by numerous Governments to undertake high investment in order to improve bulk output. As a consequence of the run-down in manpower, that investment has become increasingly critical. At the point where that investment is about to provide the bulk coal that our country requires, the Government, with this Bill, will provide facilities that will vastly increase coal imports.

Mr. Eddie Loyden (Liverpool, Garston): Is this not the point to distinguish between the arguments advanced from the Government Benches and those made by the Opposition? I represent a constituency where there is an Associated British port, but I am not looking to make that argument tonight.

My hon. Friends have questioned the validity of the introduction of the Bill. It has wide implications for and will influence a number of industries. We are arguing the broader case for the mining industry. Conservative Members make only the narrow argument—respected though it may be at some time—for constituency interests rather than for the broader interests that we represent.

Mr. Buckley: I take my hon. Friend's point.

It ill behoves Conservative Members to criticise the lack of Opposition support for this measure. The question is whether Conservative Members are prepared to support a general view rather than the narrow one of those who are promoting the Bill.

Mr. Michael Brown *rose*——

Mr. Buckley: The hon. Member for Brigg and Cleethorpes (Mr. Brown) will be able to make his comments later.

Mr. Brown: No, I shall not, as I have already spoken.

Mr. Buckley: As the hon. Gentleman has already made his points, he must give me an opportunity to comment on the Bill that he is sponsoring. The hon. Gentleman will appreciate the conventions of the House. He must give others an opportunity to make their points.

The argument is so wide that it will have far-reaching consequences beyond the economics of mining communities. Local authorities, for example, will also feel the consequences, as they will suffer a loss of revenue resulting from colliery closures. Local authorities' economics will also be undermined by the Bill.

Mr. Cryer: Will it not also undermine British Coal's economics? One of the obligations revealed during the miners' strike was that the recovery and rehabilitation of colliery sites is a continuing cost against British Coal's revenue. Colliery closures will compound the situation, as it will make the price per tonne extracted from the remaining pits even higher.

Mr. Buckley: I agree with my hon. Friend.

The House should not take lightly the economic consequences of these two Bills being carried over to the next Session. They will be dramatic and devastating for mining communities and for the country as a whole.

8.57 pm

Mr. Frank Haynes (Ashfield): I may inform you, Madam Deputy Speaker, that you missed a first-class contribution earlier this evening from my hon. Friend the Member for Bolsover (Mr. Skinner).

Madam Deputy Speaker: I may tell the hon. Member that I did listen to it.

Mr. Haynes: Obviously, I hit the wrong mark.

My hon. Friend the Member for Bolsover hit every nail on the head. *[Interruption.]* Perhaps the hon. Member for Brigg and Cleethorpes (Mr. Brown) will listen. He is busy gasbagging to the Whip instead of listening to this

important and serious debate on whether the ports should be allowed to continue and to expand at the expense, probably, of the mining industry.

Mr. Brandon-Bravo *rose*——

Mr. Haynes: I have only just started—sit down!

I want to say right at the outset that I am opposed to the proposal to carry over into the next Session the two private Bills that we are debating. I am opposed for a number of reasons.

The hon. Member for Sherwood (Mr. Stewart) has got it wrong. He does not understand what is going on. He will vote with us tonight, but he does not understand what is going on. He has not worked in the mining industry. He has pushed a plough, tilling the land in the north of Nottinghamshire. I admit that I know nothing about farming, but I know something about coal mining and I know what we are talking about tonight.

The hon. Member for Sherwood came to this place in 1983 after serving for a short period on Nottinghamshire county council organising swings and roundabouts for kids. That is the work he has done out there in Nottinghamshire. That was his only interest—leisure.

Mr. Andy Stewart *rose*——

Mr. Haynes: No, I will not give way.

In days, months and years gone by, my hon. Friend the Member for Bolsover has regularly told the Prime Minister at the Dispatch Box about the money that has been poured into the farmers' pockets, and that is still going on.

Mr. Skinner: On average, £13 a week for every farmer in Britain.

Mr. Stewart *rose*——

Mr. Haynes: I shall not give way to the hon. Gentleman. Other hon. Members want to speak. The hon. Gentleman has made his contribution, although he made a mess of it. He did not say the right things because he does not understand. He is a groveller too.

Mr. Stewart: The hon. Gentleman does not want to hear the truth.

Madam Deputy Speaker: Order. I would be much obliged if the hon. Member for Ashfield (Mr Haynes) would refer to the motion.

Mr. Haynes: I am trying hard to, Madam Deputy Speaker.

The hon. Member for Sherwood need not wave his hand at me. I shall say what I want to say in this debate. We recently debated Health Service charges that will affect many miners in my constituency who have worked in the pits for as many years as I have and were trying to enjoy certain social security benefits.

Mr. Stewart *rose*——

Mr. Haynes: That was the end result of what the hon. Gentleman and the hon. Member for Nottingham, South (Mr. Brandon-Bravo) did last week—I shall drag him in as well—when both voted in favour of Health Service charges. They then told the Nottingham *Evening Post*, "We had to do it. We might have lost our jobs as Parliamentary Private Secretaries."

Mr. Stewart *rose*——

Madam Deputy Speaker: Order. I remind the hon. Member for Ashfield once more that the carry-over motion relates to a particular Bill and I hope that he will respect the wishes of the Chair and relate his remarks to the motion.

Mr. Haynes: I shall try to do so. I was provoked by the hon. Member for Sherwood and the hon. Member for Nottingham, South—well, one of them anyway.

I am opposed to the carry-over motion simply because of the effect that it will have in my constituency in particular and elsewhere, such as Bolsover, Derbyshire, Leicestershire and Yorkshire. It will have a serious effect in Yorkshire. No Conservative Member has mentioned Yorkshire. This will have a serious effect on the Yorkshire coal mining industry and that hon. Gentleman from——

Madam Deputy Speaker: Order. I have appealed to hon Members before this evening. While I am in the Chair, hon. Members will be referred to correctly.

Mr. Haynes: —the hon. Member for Brigg and Cleethorpes. You did not let me finish, Madam Deputy Speaker.

Madam Deputy Speaker: My hearing is as acute as my eyesight.

Mr. Stewart *rose*——

Mr. Haynes: No, I shall not give way. Other colleagues of mine want to speak. The hon. Gentleman is not going to cover for those Conservatives who are not here. Plenty of Opposition Members want to speak in this debate.

I shall be interested to hear what the new Minister of State has to say on this. He has not spoken at the Dispatch Box on this matter before.

Mr. Tony Lloyd: The Minister of State is not going to speak.

Mr. Haynes: I did not know that the Minister did not intend to respond to the debate. I am shocked. What is he doing here, if he is not going to respond?

Mr. Hardy: I share my hon. Friend's concern that the Minister is not going to respond. For months and months on private Bills, Ministers have unfailingly risen to the Dispatch Box to announce the Government's absolute neutrality. We have then watched Conservative Members trooping through the Aye Lobby. Will we be saved from that rather preposterous and frequent precedent that has been established? Will the Minister at least intervene, if only briefly, to explain the matter of the false labelling of South African coal coming into British ports, as we fear that South African coal will continue to be brought into the new ports?

Mr. Haynes: I appears that the Minister is not going to respond to my hon. Friend, but I am not going on about that. The Minister has made it pretty obvious that he is not going to respond.

Mr. Andy Stewart: Will the hon. Gentleman give way?

Mr. Haynes: No, I am not giving way. Sit down. *[Interruption.]*

Madam Deputy Speaker: Order. Mr. Haynes.

Mr. Haynes: I am entitled to make a speech. I have been called by the Chair. The hon. Gentleman has made his speech; he must sit down and listen to what is going on.

Mr. Cryer: I am most grateful to my hon. Friend for giving way. I am sure that he will agree that it is a great pity that the Minister will not reply to the debate. For example, the Minister could have outlined the difficulties which the Bills will create for the coal industry, for the engineering supply industry, and for the railway industry, as they will encourage the closures which the Tories have lined up anyhow.

Mr. Haynes: My serious worry is that there used to be nine pits in my constituency, and there are now four. It has been agreed that one of those pits is closing next year, and now we are having a review. The hon. Member for Sherwood does not understand what goes on in a review as far as the bosses in the mining industry are concerned.

I have been in the mining industry 35 years. My hon. Friends have served in that industry for many years and they know what a review is all about. They have been officials at pit level, they have been involved in negotiations, and they have tried to persuade the board not to go in the direction that it wanted to take. The hon. Member for Sherwood does not understand what is going on. There is another review and there will be further pit closures in Nottinghamshire if we are not very careful, and if British Coal has its way.

The hon. Gentleman may wag his head but he still does not know what is going on. If British Coal decides to close the pits, there will be serious opposition from Opposition Members and in the constituencies where those pits are, yet the Bill does not help the situation at all—it makes it worse, as my hon. Friends have said. I hope that as many hon. Members as possible vote against it.

Mr. Bellingham: On a point of order, Madam Deputy Speaker. May I ask your advice on an important question? When an hon. Member makes disparaging remarks about another hon. Member and comments adversely on his conduct and knowledge, surely it is incumbent on that hon. Member to give way when the hon. Member who is being criticised and attacked stands up?

Madam Deputy Speaker: I understand the hon. Member's point of order. It is for the hon. Member who has the Floor to decide whether he gives way. Usually, in a challenge such as that, hon. Members give way, but it is entirely for the hon. Member who has the Floor to determine whether he will do that.

Mr. Cryer: Further to that point of order, Miss Boothroyd. I have been following the proceedings very carefully, and I have noticed your very good-tempered conduct of the House. My hon. Friend's speech was continuously marred by Conservative Members standing up and shouting. Therefore, I hope that you will suitably deprecate the behaviour of these lager louts, these pin-striped hooligans——

Madam Deputy Speaker: Order. If the hon. Member for Bradford, South (Mr. Cryer) had been as attentive as he usually is, he would have seen that I am very keen to ensure that hon. Members who are not being given the floor are asked to resume their seats.

9.8 pm

Mr. Ronnie Campbell (Blyth Valley): It is important that we stress the fact that we are debating the coal industry along with the Bill. We are debating one of Britain's biggest assets in energy—coal. We have more coal in this country than we have oil or gas. There are 300 years of coal supplies in this country. From the way in which the Government are trying to import foreign coal, one would think that we had no coal at all. Also, one would not realise that since the miners' strike the miners have increased their productivity by at least 60 per cent.

Mr. Andy Stewart: Seventy-four per cent.

Mr. Campbell: That is even better. One would not think that while listening to Conservative Members.

The Government are importing coal from countries such as Poland, South Africa, China, Colombia, Venezuela, Indonesia and others. I would hazard a guess that not one of those countries is stable. Yet the Government want to bring in 30 million tonnes of coal, with the loss of many miners' jobs. It means that in the northern region—it is on record—there will be only two pits left. This is not the only Bill. We know that there will be more to come. We know that Bills affecting Teesside and Southampton are due. We know that the coal will come to Britain at the whim of countries such as South Africa—and we have all heard about apartheid.

The hon. Member for Brigg and Cleethorpes (Mr. Brown) may have had a pleasant trip to South Africa, but, if he is so concerned about his constituency, he should visit the areas that will lose jobs, particularly Nottingham. He should go with his hon. Friend the Member for Sherwood (Mr. Stewart) and visit a pit and tell the miners what he is trying to achieve in this Bill.

As well as being at the mercy of the unstable countries, we are at the mercy of the dollar. If the dollar falls or rises, the price of foreign coal becomes unstable. That is a problem that the Government have to sort out, but they cannot.

We know that the pits will close because Tory Members will troop through the Lobbies tonight. They have a two-line Whip. Several hon. Members have been excused so that they can go back to their constituencies and say that they did not vote for the Bill—*[Interruption.]* It is true.

This progressive and most radical Government—that is what they call themselves—will close the pits and see thousands of miners lose their jobs and thousands of communities hurt yet again. I went through the review with my pit. I won the review, but the Government still closed the pit.

Mr. Andy Stewart: The collieries mentioned in the local evening paper last week are not in the review. It is the local three-monthly review, endorsed by British Coal and the local trade unions.

Mr. Campbell: If they are not in the review now, it wil not be long before they are. That will happen when the coal starts to come into the country and when the men from Associated British Ports get cracking on other ports. That is the danger.

My constituency held the record for exporting coal to Europe in the 1950s, but there is talk of changing the

harbour to receive coal from abroad. We have heard about bringing coals to Newcastle. The Government are certainly doing that.

The Government are decimating the coal industry. It has been said by some Ministers, including the Prime Minister, that miners have to stand on their own two feet. The Government are saying to British miners, "Stand on your own two feet while we bring in cheap coal." The importation of cheap coal will destroy our mining industry. Closing a pit is not like closing a factory. Some Conservative members think that a coal mine is a factory that can be stopped by pressing a button. They think that after a couple of years another button can be pressed and the pit will start up again. Once a mine is closed, it is finished and cannot be opened again.

If our mining industry is destroyed, coal prices will be at the whim of the countries that I have mentioned, such as South Africa and China. Those countries will do what the Arabs did in the 1950s. At that time the Arabs were living in tents and had cheap oil for export. Britain's whole economy was built on cheap oil. My hon. Friend the Member for Bolsover (Mr. Skinner) spoke about that. I remember what happened in the 1950s when the Arabs decided that they no longer wanted to live in tents. Oil prices rocketed. As soon as our mining industry has been destroyed, foreign producers will push up their prices and we shall be at the beck and call of the countries that I have mentioned.

The Prime Minister was in Poland last week. What a country to rely on for coal! She was hardly out of the country when Lech Walesa called for a general strike. There will be more strikes there, yet the Government seek to rely on coal from that part of Europe. Coal comes to the spot market and is mixed. The mixture is described as coal from the Netherlands, but we know that it is a mixture of Polish and South African coal and coal from other countries. It is all dumped and then mixed and sold as Netherlands coal.

In my maiden speech a year ago, I said that the Government were out to wreck the coal industry. Perhaps they are trying to do that out of malice. I have the gut feeling that they want to destroy the coal industry. They should heed the warning given by the Opposition in this debate. They risk severe economic problems not only because of imported coal but because industry will have to pay higher prices for coal. I gave that warning in my maiden speech and I give it again. The Government will decimate the British coal industry at their peril. The Prime Minister is directing that destruction, and she is wrong.

9.17 pm

Mr. Eric Illsley (Barnsley, Central): Like my hon. Friends, I oppose the motions which would allow the two private Bills to go into the next Session. There are numerous reasons why the Bills should be withdrawn or discontinued. Some of them have already been given in this debate and others were given on Second Reading.

On Second Reading I asked about the identity of the promoters of the Bills. The matter was raised on Second Reading by my hon. Friend the Member for Doncaster, North (Mr. Welsh) who is in the Chamber. He said that he could not identify the company promoting the North Killingholme Cargo Terminal Bill. Throughout the following debates, and to some extent in Committee, no light has been thrown on the identity of the company. In Committee the issue appears to have been clouded even further by the introduction of the names of other companies connected with the Bills.

Two companies recently mentioned in connection with the Bills are the Killingholme Wharf Company and the Immingham Storage Company. Apparently these are subsidiaries of the Central Oil Refinery Company. We are led to believe that it is a promoter because it is named in the Bill. Those companies are subsidiaries of the Chemicals and Oil Storage Management Company, which in turn is a subsidiary of Simon Storage Group Ltd., which is a subsidiary of Simon Engineering and members of the Simon Group. The Simon Group is a massive multi-million pound company that obviously has interests in all manner of things. Added to that, we have heard that there is a partnership involved—a partnership between the various companies that I have just mentioned and a company called B.V. Schieveem, a Dutch company, which in turn is a subsidiary of a company by the name of Van Ommeron UK, which is a subsidiary of Van Ommeron Ceteco.

These are just a few of the companies whose names have been linked with the North Killingholme Cargo Terminal Bill, either as promoters or subsidiaries of promoters. I understand from my reading of the Committee proceedings that still further companies are involved in the Bill. It is extremely difficult to keep track of all the companies, particularly as only two of them are mentioned in the Bill. I suggest that both the Bills should not be carried over into the next Session until the House receives some information as to the exact identity of the promoters, some exact reference to their relationship with other companies involved in the promotion of the Bill, and some identification of the foreign element and foreign input in the Bill, which is not even mentioned. Nowhere in the North Killingholme Cargo Terminal Bill is Van Ommeron mentioned. I venture the opinion that the promoters of the Bill are happy to maintain that confusion.

Mr. Michael Brown: The hon. Gentleman has referred to confusion, which I freely concede occurred in Committee one day last week. If he wants to be sure about the full reason why there was that confusion, all he has to do is to get hold of a transcript of the proceedings of last Thursday, and he will see a statement by the promoters' principal witness which clearly shows, certainly to the satisfaction of the Committee, exactly what happened. A number of the hon. Gentleman's hon. Friends were in the Public Gallery with me. It was a straightforward matter that was put before the Committee.

Mr. Redmond: On a point of order, Madam Deputy Speaker. How can the hon. Member for Brigg and Cleethorpes (Mr. Brown) prejudge what the Committee will decide unless he is privy to information that I do not have?

Madam Deputy Speaker: That is to do with the debate, not the Chair.

Mr. Illsley: I appreciate the comments made by the hon. Member for Brigg and Cleethorpes (Mr. Brown). I have considered the Committee proceedings in some detail and tried to elicit the true identity of the companies involved. I believe that I am getting closer and closer, but every day more and more companies are introduced. The Bills are unclear about the identity of the companies involved and

[Mr. Illsley]

silent about the international involvement, so perhaps they should be taken away and redrafted, either next Session or in a later Session, so that this information can be provided.

Mr. Michael Welsh: We still cannot find out who is the owner. Are we to allow a compulsory purchase order to be applied when we do not know who desires it?

Mr. Illsley: I am grateful to my hon. Friend. As I pointed out on Second Reading, the Bill seeks to grant not only powers of compulsory purchase but powers to dump into the River Humber. Furthermore, the power to delegate those powers to successor companies is to be granted. The Bill is designed to allow the company at the end of the chain to disguise its operation completely and to hide its intentions regarding the works on the River Humber.

My hon. Friend the Member for Bolsover (Mr. Skinner) referred earlier to the Chairman of the Committee. I am pleased that the hon. Member for Rochford (Dr. Clark) is in his place, as he is the Chairman of the Committee. However, he is also the parliamentary consultant to the British Chemical Engineering Contractors Association.

Mr. Brandon-Bravo: The hon. Members for Barnsley, Central (Mr. Illsley) and for Bolsover (Mr. Skinner) have now called into question the integrity of one of my colleagues who, by parliamentary convention, is unable to rise in his own defence. My hon. Friend, who fought Ilkeston a few years ago, was born and brought up in Nottinghamshire and is sympathetic to many of the comments made by Nottinghamshire colleagues on this side of the House, so criticism of him is misplaced.

Madam Deputy Speaker: Order. As was explained earlier, the Examiners are perfectly satisfied with the chairmanship of that Committee and that the documents were signed in accordance with propriety. The hon. Member for Barnsley, Central (Mr. Illsley) should not continue to refer to that matter.

Mr. Illsley: I wish to clear up one or two points that were raised in that last exchange. I am not calling into question the integrity of the hon. Member for Rochford. That has been done, but not by me. The multiplicity of companies involved in the Bill place the hon. Gentleman in a position of some embarrassment because, in his capacity as parliamentary consultant to the British Chemical Engineering Contractors Association, it is possible that, without his knowledge, he could be compromised by an application by any of those companies. *[Interruption.]* I was not seeking to call into question the hon. Gentleman's integrity, but simply to point out that he might have been compromised without his knowledge.

There are other reasons why the Bill should not be carried over into the next Session and why the motion should be rejected this evening. The Bills will enable the ports to handle coal. The evidence before the Committee confirms that fact. The Bills will simply increase the number of coal imports down the River Humber and the total number of imports into this country when British Coal is about to break even at the end of this financial year. We hope that British Coal is about to wipe out a considerable deficit and be profitable by next April. The corporation must be profitable next year because the Secretary of State has intimated that he will sell it off and privatise the industry. Obviously, he cannot do that unless it is profitable.

We should be promoting British coal, rather than improving the facilities for importing coal into this country. It has been stated that about 30 million tonnes of coal come into this country. I would place that figure about 20 million tonnes higher. The CEGB estimate of 30 million tonnes was made in 1986. That estimate has now been revised to 50 million tonnes.

We must also bear in mind the forthcoming privatisation of the electricity supply industry. That will have a considerable effect on the coal industry and will also bear some relation to these Bills. Those responsible for generating electricity will be able to cash in on the Secretary of State's assertions that, when the electricity industry is privatised, they will be able to purchase coal from whatever source they see fit.

The influx of imported coal will increase world prices and remove the very advantage that the Bills are seeking to secure. The British coal industry will be damaged and pressure will be brought to bear on our balance of payments, which is in a sorry state already. By the end of the century our increased electricity requirements will mean that we shall need more coal-fired power stations. These stations should be fuelled by British coal, not imported coal.

Statements have been made this week and last week to the effect that we need more nuclear power stations. Those assertions have been dismissed by the Department of Energy. Instead, we shall be looking to smaller coal-fired power stations. The nuclear power industry will suffer from the privatisation of the electricity supply industry. The Government have decided to withdraw funding for two research projects into the fast breeder reactor and the fission programme. Nuclear power will be unattractive to investors in future; hence the need to place a 20 per cent. ring fence around it.

British Coal should be encouraged in its efforts to achieve profitability. It appears to be Opposition Members who are promoting a "buy British" or "support Britain" policy.

Mr. Redmond: Does my hon. Friend agree that those of us who are seeking to promote the interests of British Coal and the British people are patriotic and that those who are seeking to promote foreign interests are less patriotic?

Mr. Illsley: I agree entirely with my hon. Friend.

A multiplicity of companies and a huge range of facilities lie behind the proposals that are set out in the Bills. There is a fear that there could be a turnkey contract. For example, Simon Engineering and its subsidiaries could build a power station on the Killingholme site—it has already been identified by the CEGB as a possible site for a power station—and that could encourage imports. That could result in many companies becoming involved in the building and running of a power station that would use imported coal.

9.33 pm

Mr. Tony Lloyd (Stretford): We have heard eloquent speeches by Conservative Members in support of the motion. The Minister has not uttered one word during the debate——

Mr. Michael Brown: Perhaps my hon. Friend's silence could be described as one of the best speeches of the evening.

Mr. Lloyd: It is the best speech that we have heard from the Government Dispatch Box.

If the Minister does not intend to make any comment about the merits of the Bill or those of the motion, perhaps he will clarify whether the Government are supporting the Bill, or whether they are neutral. Will we not see any member of the payroll vote supporting the hon. Member for Brigg and Cleethorpes (Mr. Brown)? Would the Minister care to intervene to tell the House where the Government stand? Whenever private Bills come before the House, the Government speak the language of neutrality while voting in support of the promoters, such as the hon. Member for Brigg and Cleethorpes and his South African friends. If the Minister wishes to intervene now, I shall be happy to let him do so.

The Minister for Public Transport (Mr. Michael Portillo): The hon. Gentleman is right to ask about the Government's views on the carry-over motion. The Government believe that the motion should be supported. That will provide the opportunity for this important Bill to continue to be discussed.

Mr. Lloyd: Let me remind the Minister of what the Joint Select Committee on Private Bill Procedure said about carry-over motions. Members of the Minister's party as well as mine were on the Committee. The report concluded that, in principle, private Bills, like public Bills, must obtain Royal Assent within a single Session of Parliament to become law. The report quotes from the Chairman of Committees, who considered that in recent years the carry-over facility has come to be abused. It says:

"He thought it right that a bill should be carried over if its progress is being impeded for reasons unconnected with its merits"——

Mr. Michael Brown: It is.

Mr. Lloyd: The hon. Gentleman should listen carefully. If, as he has said, the Bill's promoters and he are in full agreement with the report, I hope that he will withdraw his support for the motion.

The Chairman of Committees continued:

"if a private bill is so controversial that progress cannot be made on it (or is not being made on it because the promoters are trying to avoid a long drawn-out Committee stage). I question whether it is reasonable for it to continue from Session to Session".

The Committee recognised the concern of the Chairman of Committees that the facility should not be abused, and it recognised that it was being abused when Bills were politically contentious, as this one is. The Committee recommended:

"henceforth it should only be in the most exceptional circumstances that a private bill should be allowed to continue its passage through Parliament for more than two Sessions. A private bill should be expected to complete its progress within a single Session".

That is in black and white in the report that the hon. Member for Brigg and Cleethorpes claimed to support. It he has any integrity, he will now tell the House that he accepts that the motion is inappropriate. But he has no intention of doing that, or of supporting the report.

Mr. Michael Brown: I did not put down the motion. It appeared this morning on the Order Paper in the name of the Chairman of Ways and Means. I saw it, thought that it was a good idea and spoke in favour of it.

Mr. Lloyd: Even at this late stage, I feel confident that if the promoters of the Bill said that they were withdrawing their support, the Chairman of Ways and Means would not wish to continue with the motion. The hon. Member for Brigg and Cleethorpes can help us by telling his hon. Friends that the carry-over will be opposed, not only by the few who are afraid of constituency majorities in Nottingham, but those like the Minister, who supported the Bill on Second Reading, and his Front-Bench colleagues of the time.

The same applies to the Prime Minister, who is at the centre of this expedition. It must be unprecedented for any Prime Minister of any Government to use the full might of parliamentary procedure to force through a Bill that will do so much damage to British jobs in the mining community for so much gain for the private speculators and the foreign coal industry.

The Government are determined to reward their South African friends. The Prime Minister's Ten o'clock motion allows this private business to

"be proceeded with, though opposed, until any hour."

For the Prime Minister to be present to support the Bill and force it through by procedural means is a scandal. The Bill is massively contentious politically. All my hon. Friends who have spoken have done so on behalf of their communities and the jobs that will be decimated if the Bill is passed. We have heard nothing from Conservative Members, even the Nottingham apologists, about the real interests affected by the Bill.

No Labour Member has walked through the Division Lobby in support of the Bill, while the overwhelming majority of Conservatives have done so. We are used to watching the honourable hypocrites on the Conservative Benches walking through the Lobby, or threatening to—

Mr. Michael Brown: The hon. Gentleman used the words "honourable hypocrites" about Conservative Members. I think that that is unparliamentary.—*[Interruption.]*

Madam Deputy Speaker: Order. I want to answer the point of order. Although the term "hypocrite" is one that I deprecate, when used in general it is acceptable according to the practice of the House.

Mr. Lloyd: I place on record the fact that I, too, deprecate the term "hypocrite". The Opposition are a little tired of listening to Conservative Members with their bleeding hearts, pretending that they have a conscience, when they feel that there is an electoral advantage. However, we see those same hon. Gentlemen prepared to vote to get rid of child benefit, to vote to keep this Government in power and to vote on any other issue that tramples on the jobs and interests of the people whom the Opposition represent. We are used to seeing those hon. Gentlemen do that, so we will take no lessons from them, under any circumstances.

This debate goes to the core of the distinction between the two political parties. My hon. Friends have consistently supported and spoken in favour of the maintenance of jobs in the coal mining industry and of jobs in industries far wider afield. My constituency has a

[Mr. Lloyd]

long tradition of engineering, and it used to supply switchgear equipment to the mining industry. That switchgear industry has been decimated because of the failure of the Government to invest in our native industry. When Conservative Members are prepared to see, not just the destruction of jobs, in the mining industry, in the transport industry and in the engineering industry, but the destruction of whole communities, we are entitled to ask whose side they are on.

The report of the Joint Select Committee on Private Bill Procedure talked about the need for an environmental impact assessment. It came out on Second Reading that the constituency of the hon. Member for Brigg and Cleethorpes will have rumbling through its streets 800 extra lorries every day. I believe that that is a suitable subject for the sort of environmental impact study recommended by the Select Committee.

There are all the arguments in the world for the Bill not being carried over, such as that the Joint Select Committee's report can be debated, so that we can have the environmental impact study and determine whether that is the proper way forward. The constituents of the hon. Member for Brigg and Cleethorpes are entitled to the sort of protection, which would be given as a result of that study, but which is not being given to them by their Member of Parliament.

Mr. Michael Brown: The Labour-controlled Humberside county council commissioned a study by Coopers and Lybrand when my constituency was threatened with the possibility of nuclear waste being disposed there. It was a Labour authority that commissioned that study with a view to suggesting that there might be alternative uses for the land around the CEGB site that was to be nominated for nuclear waste disposal. The Humberside Labour-controlled county council backed the report, which recommended that there should be an improvement in dock facilities. On those grounds, the hon. Gentleman's party should disagree with the environmental impact study that he has just recommended.

Mr. Lloyd: I was referring to the recommendation made in the report of the Joint Select Committee, which the hon. Gentleman has already said he supports.

If I can go beyond the area covered by the hon. Member for Brigg and Cleethorpes, why can we not have an employment impact study? Why should we not have a proper study of the employment consequences of the Bill? Opposition Members have already said that 76,000 jobs in the mining industry and countless jobs outside that industry will be affected by the Bill. Why should the House not have an acceptable assessment of the employment impact, and not just the pious hope of the 100 jobs that the hon. Member for Norfolk, North-West (Mr. Bellingham) mentioned? I accept that the 100 jobs in King's Lynn are valuable, but they cannot be weighed in the balance against the 76,000 jobs that my hon. Friends have sought to defend tonight.

We gave the hon. Member for Norfolk, North-West the opportunity to come out of the debate with dignity when we told him that he could have a Bill that would help his port. However, instead of wanting to pursue the interests of his port and the interests of my hon. Friends, the hon. Gentleman chose to support the interests of the South African coal industry and those of his hon. Friends.

Mr. Cunliffe: The hon. Gentleman has been paid off.

Mr. Lloyd: As my hon. Friend has said, there may have been some sort of pay-off. I do not know, because, of course, we are used to a Government who reward their members through the political patronage system.

The impact of the Bill is far too great to allow it to be carried over tonight. We should accept the recommendations of the Joint Select Committee, which suggest that the carry-over motion is totally inappropriate. For that reason, I shall support my hon. Friends in their opposition to it.

9.44 pm

Mr. Edward Leigh (Gainsborough and Horncastle): We have spent some three and a half hours debating the Associated British Ports (No. 2) Bill and six hours on the North Killingholme Cargo Terminal Bill. The House has had the opportunity to consider both sides of the argument. After a long deliberation, the House decided to give the Bills a Second Reading and they were referred to a Committee. They have been dealt with most assiduously by that Committee, and I am sure that my hon. Friends would like me to pay tribute to my hon. Friend the Member for Rochford (Dr. Clark) for the work that he has done on that Committee.

I believe that nothing will be gained by voting down the carry-over motions tonight. All that would happen is that the Bills would go back to square one. I appreciate that the Neanderthal elements on the Opposition Benches, who are opposed to free trade at any cost, are using every parliamentary tactic in the book—filibustering and so on—to defeat the Bills.

We believe that the Bills should be given a fair wind. We believe that it is only right and fair that those people who wish to oppose the Bills should go to the Committee and petition it. Under the assiduous chairmanship of my hon. Friend the Member for Rochford, both sides of the argument will be heard. That is the fair and right way. It is not right for Labour Members to try to use parliamentary tactics to defeat the Bills. The House has made its decision that the Bills should go to Committee.

In support of the North Killingholme Cargo Terminal Bill I believe that I can do no better than quote the words of my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown). I am sure that the House would want to pay tribute to him for the fair, careful and highly intelligent manner in which he introduced it.

Opposition Members continually state that North Killingholme will be used to import South African coal, but that is a red herring. On 22 June 1988, my hon. Friend the Member for Brigg and Cleethorpes said:

"The import and export traffic will be in bulk commodities, which include grain"—[*Official Report*, 22 June 1988; Vol. 135, c. 1183.]

Mr. Allan Rogers (Rhondda): On a point of order, Madam Deputy Speaker. Is it in order for people who obviously received favours from the South African Government to participate in this debate? It is clear that certain Conservative Members have had buckshee trips to South Africa.

Madam Deputy Speaker: It is perfectly in order for an hon. Member who wishes to be called to stand.

Mr. Leigh: That intervention was irrelevant to my speech, but let me make it clear that I have received no favours from the South African Government.

Mr. Cryer: On a point of order, Madam Deputy Speaker. I understand your ruling about hon. Members wishing to speak, which is perfectly correct, but if the House votes, a different issue arises. "Erskine May" points out that Members cannot vote if they have a direct pecuniary interest.

The Register of Members' Interests, drawn up by a Select Committee appointed by this House, includes in its requirements all trips paid for by outside organisations that are not in the service of this House. Several Conservative Members have been to South Africa, paid for by the South African Government. The Bill could give facilities for the importation of South African coal.

I believe that there is a clear link between the effects of the Bill and the benefits that some hon. Members have gained from the South African Government. Therefore, in the light of the ruling from a previous Speaker when a private Bill was being promoted in favour of Lloyd's, I believe that hon. Members should bear their interests in mind and refrain from voting.

Madam Deputy Speaker: I have no doubt that hon. Members will bear that in mind, and that if they have any interests they will be honourable and declare them.

Mr. Leigh: I have absolutely no interest in this Bill except that it will benefit my constituents who have witnessed the revival of north Lincolnshire under this Government. They have seen unemployment cut. They have seen inflation cut. They have seen new prosperity come to our area. That is why I support the Bill. That is why I want more trade. That is why my farmers want more grain to be exported. It is typical that Opposition Members should always take a narrow, negative and old-fashioned view. The Conservatives have confidence and faith in our ability to export from this port. Why do Opposition Members always assume that we shall import South African coal? Why are they so worried about our ability to beat the world in its free markets?

This is a fine Bill, which will be carefully considered by my hon. Friend the Member for Rochford and the Committee. If the Opposition think that they have a case —they have not—they can take their argument to my hon. Friend. Why are they using filibustering tactics and raising irrelevant points of order? Perhaps they do not have the confidence in their own case.

Mr. John Redwood (Wokingham): Does my hon. Friend agree that it might be difficult if an hon. Member participating in the debate was sponsored by a mining union, when Opposition Members have drawn attention to other hon. Members' interests?

Mr. Leigh: My hon. Friend makes a fair point. Opposition Members in glasshouses should not throw stones. They have all been trooping into the debate. Why, for once, do we see such a high turnout of Labour Members? Does it have anything to do with the Bill's merits? No, they are all in the pockets of Arthur Scargill. I know what the country thinks of Arthur Scargill—the people have no time for him.

The Bill will go through on its merits. It will receive the full support of the House of Commons. It will bring prosperity to the area that I and my hon. Friend the Member for Brigg and Cleethorpes represent. I recommend it to my hon. Friends.

Madam Deputy Speaker: The Question is the motion on the Order Paper.

As many as are of that opinion say Aye.

To the contrary No.

Hon Members: No.

Madam Deputy Speaker: I think that the Noes have it.

Hon. Members: Aye.

Madam Deputy Speaker: Clear the Lobbies.

Question put:

The House proceeded to a Division:

Mr. Frank Dobson (Holborn and St. Pancras) *(seated and covered)*: On a point of order, Madam Deputy Speaker. Today, we have had a lot of talk about tapes. If anyone listens to the tape of this debate, it will be absolutely clear beyond doubt that at the appropriate point there was no cry of "Aye"—*[Interruption.]*

Madam Deputy Speaker: Order. If I am to be heard, I ask hon. Members to listen. A Division is now in progress.

The House having divided: Ayes 212, Noes 157.

Division No. 478] **[9.51 pm**

AYES

Amess, David
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bevan, David Gilroy
Boscawen, Hon Robert
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Dunn, Bob
Durant, Tony
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Fairbairn, Sir Nicholas
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Miss Janet
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*

Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Lamont, Rt Hon Norman
Latham, Michael
Lawson, Rt Hon Nigel
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
Mans, Keith
Maples, John
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, Rt Hon J. *(Aberavon)*
Morrison, Sir Charles
Moynihan, Hon Colin
Neale, Gerrard
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steel, Rt Hon David
Steen, Anthony
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Waldegrave, Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wiggin, Jerry
Wood, Timothy
Woodcock, Mike
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Davis and
Mr. Edward Leigh.

NOES

Adams, Allen *(Paisley N)*
Alexander, Richard
Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blair, Tony
Boateng, Paul
Bradley, Keith
Brandon-Bravo, Martin
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kilfedder, James
Kirkwood, Archy
Knowles, Michael
Lamond, James
Lawrence, Ivan
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McKelvey, William
McLeish, Henry
McLoughlin, Patrick
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Andrew *(Gedling)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Spearing, Nigel
Steinberg, Gerry
Stewart, Andy *(Sherwood)*
Stott, Roger
Strang, Gavin
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Martin Redmond and
Mr. Kevin Barron.

Question accordingly agreed to.

Ordered,

That the Promoters of the Associated British Ports (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

Ordered,

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

Ordered,

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

Ordered,

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

Ordered,

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

Ordered,

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

Ordered,

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Motion relating to the North Killingholme Cargo Terminal Bill, and the Lords Amendments to Commons Amendments, consequential Amendments made by the Lords and Lords Amendments in lieu of certain Commons Amendments to the Copyright, Designs and Patents Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Neubert.]*

North Killingholme Cargo Terminal Bill

Motion made, and Question put,

That the Promoters of the North Killingholme Cargo Terminal Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bills)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

The House divided: Ayes 229, Noes 159.

Division No. 479] **[10.05 pm**

AYES

Amess, David
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George

Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
Mans, Keith
Maples, John
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Sir Charles
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Redwood, John
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Squire, Robin
Stanbrook, Ivor
Steel, Rt Hon David
Steen, Anthony
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wiggin, Jerry
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Davis and
Mr. Edward Leigh.

NOES

Adams, Allen *(Paisley N)*
Alexander, Richard
Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blair, Tony
Boateng, Paul
Bradley, Keith
Brandon-Bravo, Martin
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kilfedder, James
Kirkwood, Archy
Knowles, Michael
Lamond, James
Lawrence, Ivan
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McKelvey, William
McLeish, Henry
McLoughlin, Patrick
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Andrew *(Gedling)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Snape, Peter
Spearing, Nigel
Steinberg, Gerry
Stewart, Andy *(Sherwood)*
Stott, Roger
Strang, Gavin
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith

Wallace, James
Walley, Joan
Wardell, Gareth (Gower)
Wareing, Robert N.
Welsh, Michael (Doncaster N)
Williams, Rt Hon Alan
Williams, Alan W. (Carm'then)
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Martin Redmond and
Mr. Kevin Barron.

Question accordingly agreed to.

Ordered,

That the Promoters of the North Killingholme Cargo Terminal Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

Ordered,

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

Ordered,

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

Ordered,

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

Ordered,

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

Ordered,

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

Ordered,

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bills)" were omitted;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

Copyright, Designs and Patents Bill
[Lords]

Lords Amendments to Commons Amendments, consequential Amendments made by the Lords and Lords Amendments in lieu of certain Commons Amendments, considered.

Clause 18

INFRINGEMENT BY ISSUE OF COPIES TO THE PUBLIC

The Lords have disagreed to the amendments made by the Commons:

In page 9, line 4, leave out

', except as mentioned in subsection (3),'.

In page 9, line 8, leave out 'their importation' and insert 'any subsequent importation of those copies'.

In page 9, line 9, leave out from beginning to 'relation' and insert 'except that in'.

In page 9, line 10, leave out 'hiring' and insert 'rental'.

but have proposed the following amendment in lieu thereof:

No. 1, in page 9, line 3, leave out subsections (2) and (3) and insert—

'(2) References in this Part to the issue to the public of copies of a work are to the act of putting into circulation copies not previously put into circulation, in the United Kingdom or elsewhere, and not to—

(a) any subsequent distribution, sale, hiring or loan of those copies, or

(b) any subsequent importation of those copies into the United Kingdom;

except that in relation to sound recordings, films and computer programs the restricted act of issuing copies to the public includes any rental of copies to the public.'

10.18 pm

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): I beg to move, That this House doth agree with the Lords in the said amendment. *[Interruption.]*

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I should be much obliged if hon. Members leaving the Chamber did so quietly, so that we can hear the Minister explain these important amendments.

Mr. Forth *rose—[Interruption.]*

Madam Deputy Speaker: Order. I wonder whether conversations could be carried out on the other side of the swing doors, please.

Mr. Forth: It would be inappropriate for the House to linger at length on these matters. They have been dealt with in detail in both Houses and we are here to consider the largely technical and clarificatory measures that the other place has brought to bear on this important matter.

I shall outline briefly the intention behind each amendment. Amendment No. 1 seeks to improve the drafting and makes it clear that if copies have been issued to the public overseas, importation and putting copies in circulation in the United Kingdom is not a restricted act.

Mr. Austin Mitchell (Great Grimsby) *rose——*

Madam Deputy Speaker: I call the hon. Gentleman on the Opposition Front Bench.

Mr. Bob Cryer (Bradford, South): My hon. Friend used to be on television.

Mr. Austin Mitchell: It is a pity, Madam Deputy Speaker, that you did not reside in the Yorkshire Television viewing area.

We have a full House for the class reunion of the Committee and those who sat through the earlier stages of the Bill, but we are minus the prefect. It is an interesting augury for the Minister and myself that the two Front Bench spokesmen in the earlier arguments have gone on to meteoric rises within their respective parties. We are now beginning to tread the same path as tail-end Charlies, perhaps with the emphasis on Charlie.

The Labour party will not oppose the Bill or talk at length. We welcome the general principle of the revision of the copyright legislation. We broadly support the Bill. There are one or two things that we would have liked to change and which we tried strenuously to change at earlier stages. For instance, we would have liked to change the rights of journalists and design rights. Those arguments are now over. We would have liked the Government to make more concessions to the House of Lords. They could have afforded to throw a few crumbs from a rather crumby table, but they did not. That means that we do not have much on which to bite. In fact, if we were to make a meal of it, it would be anorexia nervosa turned into a system of debate. We are simply cleaning up and polishing the final Lords amendments, which in the main we are happy to accept.

Amendment No. 1 attracted the only Division in the other place and, unfortunately, we lost by 10 votes. We wanted to extend rights to authors as well as producers, but that argument is now behind us.

The issue is one of definition. I would call it a "Spycatcher" definition. The Government have a certain amount of expertise in things that have been imported and sold before they have been published. They have wasted much money in developing their knowledge of that. Lord Young of Graffham, Saatchi and Thomson explained the amendment eloquently and we cannot see any objection to it. We shall bow to the wisdom of the noble Lord and his representative on earth.

Question put and agreed to.

Clause 70

PROVISION OF SUB-TITLED COPIES OF BROADCAST OR CABLE PROGRAMME

The Lords have agreed to the amendment made by the Commons:

In page 26, line 1, leave out subsection (1) and insert—

'(1) A designated body may, for the purpose of providing people who are deaf or hard of hearing with copies which are sub-titled or othewise modified for their special needs, makes copies of television broadcasts or cable programmes and issue copies to the public, without infringing any copyright in the broadcasts or cable programmes or works included in them.'.

with the following amendment:

No. 2, in line 3, after 'hearing', insert—

', or physically or mentally handicapped in other ways,'.

Mr. Forth: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this we will consider Lords amendment No. 14, to the Commons amendment to schedule 2.

Mr. Forth: These amendments tabled by Lord Williams and accepted by the Government, extend to other physically and mentally handicapped people the benefit of the exceptions in clause 70 and paragraph 17 of schedule 2, which allow subtitling of recordings of broadcasts for deaf people. This is an important measure, and we hope that the House will give its approval.

Mr. Austin Mitchell: It is a little churlish for the Minister to introduce the amendment in that fashion. He might have commemorated the great Labour triumph in the House of Lords in forcing the Government to accept this obvious and sensible concession by widening the clause to all physically and mentally handicapped people. It would have been ludicrous if videos for autistic children had not been included.

It is interesting to note that the Government did not include that in the first place, but had to be forced to include it by our amendment in the House of Lords. There was no vote on the issue because the Government knew that they would be beaten in a place where, at least until today, bleeding hearts had some strength. The physically and mentally handicapped are well represented in the other place. [HON. MEMBERS: "Oh!"] I support the amendment and pay tribute to Lord Williams of Elvel and to the Opposition in the House of Lords, who tabled the amendment in the first place.

Question put and agreed to.

Clause 109

ORDER AS TO DISPOSAL OF INFRINGING COPY OR OTHER ARTICLE

The Lords have agreed to the amendment made by the Commons:

To insert a second new clause in place of clause 109:

' .—(1) Where an infringing copy or other article has been delivered up in pursuance of an order under section 94 or 104, or has been seized and detained in pursuance of the right conferred by section 95, an application may be made to the court—

(a) for an order that it shall be forfeited to the copyright owner or destroyed or otherwise dealt with as the court may think fit, or

(b) for a decision that no such order should be made.

(2) In considering what order (if any) should be made, the court shall consider whether other remedies available in an action for infringement of copyright would be adequate to compensate the copyright owner and to protect his interests.

(3) Provision shall be made by rules of court as to the service of notice on persons having an interest in the copy or other article, and any such person is entitled—

(a) to appear in proceedings for an order under this section, whether or not he was served with notice, and

(b) to appeal against any order made, whether or not he appeared;

and an order shall not take effect until the end of the period within which notice of an appeal may be given or, if before the end of that period notice of appeal is duly given, until the final determination or abandonment of the proceedings on the appeal.

(4) Where there is more than one person interested in a copy or other article, the court shall make such order as it thinks just and may (in particular) direct that the article be sold, or otherwise dealt with, and the proceeds divided.

(5) If the court decides that no order should be made under this section, the person in whose possession, custody or control the copy or other article was before being delivered up or seized is entitled to its return.

(6) References in this section to a person having an interest in a copy or other article include any person in whose favour an order could be made in respect of it under this section or under section *(Order as to disposal of illicit recordings)* or *(Order as to disposal of infringing article, &c.)*

of this Act or section 58BA of the Trade Marks Act 1938 (which make similar provision in relation to infringement of rights in performances, design right and trade marks).'

with the following amendment:

No. 3, leave out subsection (1) and insert—

'(1) An application may be made to the court for an order that an infringement copy of other article delivered up in pursuance of an order under section 94 or 104, or seized and detained in pursuance of the right conferred by section 95, shall be)—

(a) forfeited to the copyright owner, or

(b) destroyed or otherwise dealt with as the court may think fit, or for a decision that no such order should be made.'

Mr. Forth: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 8 and 9.

Mr. Forth: The amendments mean that an application for a forfeiture order need not await successful execution of an order for delivery up.

Mr. Austin Mitchell: Once again we support the principle of the amendment. It is right that we should provide a procedure for forfeiture in these cases and that it should be quick, efficient and enforceable. The amendments move in that direction.

Question put and agreed to.

Lords amendments Nos. 8 and 9 agreed to.

Clause 111

SCOPE OF GENERAL CONTROL OF LICENSING SCHEMES

The Lords have agreed to the amendment made by the Commons:

In page 46, line 17, leave out 'general control' and insert 'references and applications with respect to'

with the following amendment:

No. 4, in line 1, after 'control', insert 'of'.

Mr. Forth: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 5, 6 and 7.

Mr. Forth: These amendments replace an amendment that was agreed to in the Commons on Report, despite drafting defects, as a procedural device to ensure an opportunity for further parliamentary consideration. It was made clear that, although the Government were sympathetic to the intention of the amendment moved by an all-party group on behalf of registered clubs, the amendment was unlikely to be acceptable as it stood. I think that this amendment will go all the way to giving the clubs what they wanted.

Mr. Austin Mitchell: The Minister glossed over what looks like some incompetence in the drafting of the legislation. It is fairly typical of the Government that they are so obsessed with a certain type of control that they do not exert proper control over drafting of legislation. However, we shall let that pass, because the amendments are technical.

Mr. Frank Doran (Aberdeen, South): In my printed copy there seems to be a typographical error in amendment No. 4(5). I think that the word "included" should read "concluded". Perhaps the Minister would like to comment on that.

Mr. Forth: I assume that it is a typographical error. The intention is as the hon. Gentleman suggests.

Madam Deputy Speaker: Perhaps I could draw the attention of the hon. Member for Aberdeen, South (Mr. Doran) to the list of corrections.

Amendment agreed to.

Lords amendments Nos. 5 to 7 agreed to.

New Clause

CROWN USE OF REGISTERED DESIGN: COMPENSATION FOR LOSS OF PROFIT.

The Lords have agreed to the amendment made by the Commons:

To insert a second new clause after clause 252:

' .—(1) In Schedule 1 to the Registered Designs Act 1949 (Crown use), after paragraph 2 insert—

"Compensation for loss of profit.

2A.—(1) Where Crown use is made of a registered design, the government department concerned shall pay—

(a) to the registered proprietor, or

(b) if there is an exclusive licence in force in respect of the design, to the exclusive licensee,

compensation for any loss resulting from his not being awarded a contract to supply the articles to which the design is applied.

(2) Compensation is payable only to the extent that such a contract could have been fulfilled from his existing manufacturing capacity; but is payable notwithstanding the existence of circumstances rendering him ineligible for the award of such a contract.

(3) In determining the loss, regard shall be had to the profit which would have been made on such a contract and to the extent to which any manufacturing capacity was under-used.

(4) No compensation is payable in respect of any failure to secure contracts for the supply of articles to which the design is applied otherwise than for the services of the Crown.

(5) The amount payable under this paragraph shall, if not agreed between the registered proprietor or licensee and the government department concerned with the approval of the Treasury, be determined by the court on a reference under paragraph 3; and it is in addition to any amount payable under paragraph 1 or 2 of this Schedule.

(6) In this paragraph—

'Crown use', in relation to a design, means the doing of anything by virtue of paragraph 1 which would otherwise be an infringement of the right in the design; and

'the government department concerned', in relation to such use, means the government department who or on whose authority the act was done.".

(2) In paragraph 3 of that Schedule (reference of disputes as to Crown use) for sub-paragraph (1) substitute—

"(1) Any dispute as to—

(a) the exercise by a Government department, or a person authorised by a Government department, of the powers conferred by paragraph 1 of this Schedule,

(b) terms for the use of a design for the services of the Crown under that paragraph,

(c) the right of any person to receive any part of a payment made under paragraph 1(3), or

(d) the right of any person to receive a payment under paragraph 2A,

may be referred to the court by either party to the dispute.".

(3) The above amendments apply in relation to any Crown use of a registered design after the commencement of this section, even if the terms for such use were settled before commencement.

with the following amendment:

No. 10, in line 38, leave out 'who' and insert 'by whom'.

Mr. Forth: I beg to move, That this House doth agree with the Lords in the said amendments.

Madam Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 11, 12, 13, 15 and 16.

Mr. Forth: Proceedings have been overlengthy, and it would be inappropriate for me to go into detail on these amendments. I assure the House that they are all technical. I shall provide detail if necessary, but I think that the House can accept the amendments as improvements to the Bill.

Mr. Austin Mitchell: I would be filibustering if I replied to the Minister, but that vicious personal attack on me for dragging out the proceedings of the House after the Minister's lengthy contributions is bitterly resented.

Question put and agreed to.

Lords amendments Nos. 11 to 16 agreed to.

Scottish Salmon Netting Industry

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

10.30 pm

Mr. John Home Robertson (East Lothian): In initiating this Adjournment debate on the subject of the Scottish salmon netting industry, I declare a nominal and, I hope, temporary interest in this industry, and make it clear that neither I nor my family derive any income from any form of fishery.

I am grateful for this opportunity to debate the fate of a small traditional rural industry in Scotland, which used to employ directly over 1,500 on a regular seasonal basis. I fear that the salmon netting industry is being systematically destroyed by blatantly discriminatory action by the Government, combined with inappropriate dealings by what is supposed to be a charitable trust. This is an example of the shameless promotion by the Government and the rest of the establishment of the interests of a group of influential landowners, regardless of the rights of small netting businesses and their employees. These are the points that I wish to expose during this debate.

The lawful salmon netting industry has provided seasonal employment in rural communities on the estuaries of our main rivers since time immemorial. Netsmen have been subject to detailed regulations to prevent overfishing, and the industry has operated side by side with angling interests for centuries without any suggestion that the nets were a threat to the survival of the wild salmon. My understanding was that, even recently, nets have been taking only about 15 per cent. of available stocks.

Apart from the direct contribution of about 1,500 regular seasonal jobs to the rural community, the traditional net and coble fishing technique has been an attractive feature of the lower reaches of our rivers from the Borders right up to Caithness. It is part of the local tourist attraction in many of these areas. This industry is disappearing rapidly, as a result of a two-pronged attack involving sabotage by the Government, on the one hand, and, on the other, acquisitions by the Atlantic Salmon Conservation Trust (Scotland), which has the unlikely charitable objective of destroying this perfectly legitimate industry.

I suspect that the Minister will accuse me of attacking rod fishermen and seeking to frustrate a conservation initiative, so let me deal with those two points straight away. There is an urgent need for action to conserve salmon. Salmon stocks have suffered grievously as a result of several factors. They have been hit by increased fishing at sea at various points between Greenland and Northumberland; they are suffering from the ravages of disease and pollution; and there is no question but that illegal netting with fixed monofilament gear is taking a heavy toll.

There would be overwhelming justification for taking effective action to deal with any of those problems, and I would be interested to know whether the Government or the new Salmon Advisory Committee have come up with any ideas or initiatives to deal with those problems. I note, incidentally, that the Salmon Advisory Committee's paper

on information on the status of salmon stocks, which was published only last month, simply confirms that the available information is next to useless.

I have the impression that very little is happening to conserve salmon. The Government have copped out on the positive suggestion of a tagging scheme, and I fear that the proposed dealer licensing scheme will be little more than a window-dressing exercise. All this pressure to be seen to be doing something about salmon conservation has focused, totally irrationally, on the unfortunate legal netsmen. The fact that they are not a significant part of the problem is evidently not important. They are a small and dispersed group of seasonal workers who can be picked off easily. Significantly, their removal leads to an immediate financial return for the proprietors of valuable upstream rod fishing beats.

I turn now to the matter of the rights of rod fishermen and the value of the tourist industry. The Labour party is strongly committed to promoting the interests of anglers. Unlike the Government, we want to see initiatives to promote public access to fishing on the rivers of Scotland. We also recognise the value and potential of the tourist industry. However, the destruction of the legal netting industry has nothing to do with those objectives. It is simply designed to further inflate charges for salmon fishing, which will make the sport even more exclusive. There is little room for more anglers on our main rivers. They will have to pay more to the landowners. The fact that so many of those landowners are absentees will minimise any benefit to the local economy.

The hypocrisy of those people who want to shut down the nets in the interests of conservation is graphically exposed when the self-same people want to extend their lucrative rod fishing season on rivers such as the Dee, regardless of the fact they will be taking fish that are on the point of spawning.

I turn now to the Government's rather squalid part in these affairs. Ministers have evidently been persuaded by influential friends to initiate a series of measures to strengthen the position of rod fishing proprietors against all other interests, and particularly against the netsmen. First, the Salmon Act 1986 entrenched the rights of proprietors, despite Opposition efforts to promote the public interest. Then, earlier this year, the Government imposed new regulations to reduce the catch at netting stations by 20 per cent. by extending the weekly close time to 60 hours, although opposition to that measure came not only from Opposition Members, but, significantly, from the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith).

The next threat is to introduce drastic changes to permitted netting techniques to make it even more difficult for netsmen to make a living. These blatantly discriminatory measures have already had drastic effects on the number of small netting businesses. They could be described as a form of expropriation without compensation, because that has been the effect on some of those small businesses.

All these Government initiatives are given spurious justification by referring to the need for conservation. In Committee, the Minister went round and round the issue and, in the end, said:

"The mortality rates of salmon in the open sea are increasing."

He went on to urge the Committee to support

"a precautionary measure to reduce the exploitation of salmon in home waters."—[*Official Report, Second Standing Committee on Statutory Instruments, &c.* 4 May 1988; c. 25.]

We should note the logic of that. There is a problem out on the high seas, so the Government take action in the rivers.

I pressed the Minister further on that matter when I put a parliamentary question to him on 18 May. I asked

"if he will place in the Library any scientific evidence which is available to him concerning the effect of legal netting operations on salmon stocks in Scottish rivers; and if he will review the weekly close time for such operations before the start of the 1989 season in the light of such evidence."

The reply from the Under-Secretary of State for Scotland, the hon. Member for Stirling (Mr. Forsyth), came with characteristic bluntness. He said:

"No. The scientific evidence available to the Government reflected the outcome of research and monitoring work on the state of salmon stocks in Scotland and was discussed in the course of the consideration of the weekly close time regulations by the Second Standing Committee on Statutory Instruments on 4 May. The Government have no plans for a further review of weekly close time for salmon net fishing in Scotland."—[*Official Report,* 18 May 1988; Vol. 133, c. 469-70.]

The refusal to publish the scientific case against legal netsmen may well mean that the evidence is either unconvincing or, as I suspect, non-existent.

This softening-up operation carried out by the Government, combined with falling fish stocks and lower market prices, has made salmon netsmen an easy prey for predators such as the Atlantic Salmon Conservation Trust. It is a strange coincidence that the Crown Estate Commissioners have chosen this moment in history to sell off their 150 tenanted netting stations. In present circumstances, tenants cannot aford to buy their netting stations, and even those who can afford to do so have not been given the opportunity by the Crown Estate Commissioners.

We do not know to whom the commissioners will be prepared to sell those fisheries, but I wonder whether the Atlantic Salmon Conservation Trust will be involved, either directly or indirectly, in any of those deals. I note, incidentally, that the chairman of the Crown Estate Commissioners, the Earl of Mansfield, who was at some time a Minister of State, Scottish Office, is being paid £8,500 a year by the Tay river board not to work his fisheries at Scone on the Tay. We have the flavour of what is going on there.

The Atlantic Salmon Conservation Trust is a shady organisation which evidently has access to large sums of money. It set up shop in 1985 and spent £83,000 that year on acquiring and extinguishing netting rights. In 1986, the figure was £460,269, and in 1987 it was £828,663, which may or may not include £286,000 of forward commitments for 1988. Total spending on the purchase of netting rights up to March 1988 came to almost £1·25 million on several rivers. These included the Spey, the Deveron, the Dee, the Don, the Alness, the Conon, the Beauly, the Ness, the Nairn, the Findhorn, the Lossie, the Tweed and the Solway.

There is an interesting twist to the trust's operations on the Solway. It spent £234,200 on buying fisheries, and I gather from an answer that I received last week from the Parliamentary Under-Secretary of State for the Armed Forces that his Department stumped up £135,000 of that sum to help the trust to buy the Loch and Dornock fishery. I find that a surprising use of taxpayers' money. I also find it a surprising price to pay for what seems to be a modest

[Mr. John Home Robertson]

property. I wonder whether someone somewhere received a backhander. I think that we should know more about that.

In the course of these wheelings and dealings there has been no compensation for tenant netsmen whose businesses have been sabotaged by the extension of close time. There is no provision for working netsmen who lose their jobs. As seasonal workers, they have no right to redundancy payments. They merely discover during the close season that their jobs have disappeared following secret negotiations with the trust. The hon. Member for Berwick-upon-Tweed (Mr. Beith) will know that in his area there was an interesting variation on the theme. A rather colourful group of English international cricketers took over the ailing Berwick Salmon Fishing Company, only to strip its assets and sell it to the trust in a matter of months.

The main objective of the trust is to destroy the netting industry, which, rather surprisingly, has been accepted by the Inland Revenue as a charitable purpose. The upstream proprietors can invest in manoeuvres that enhance the value of their properties with the advantage of charitable tax relief. The sources of the trust's massive finances have been a closely guarded secret, but its agents on the Borders blew the gaffe in a letter to Tweed proprietors dated 23 August. The Duke of Roxburghe, no less, wrote:

"As all the Tweed proprietors, and proprietors of all the main tributaries are likely to benefit enormously over the course of the next few years from the removal of the bulk of the netting presence and the subsequent control of the Tweed salmon stocks for conservation, it would be nice to think that all proprietors interested in salmon conservation would contribute to the ASCT(S), possibly in proportion to their assessable value."

Isn't that nice? The duke was appealing for a cool £600,000 over two years. The terms of the letter make it clear that contributions towards the enterprise will by no stretch of the imagination be charitable donations. They will be commercial investments and should be treated accordingly. I understand that a similar levy system is proposed for the Tay.

Mr. A. J. Beith (Berwick-upon-Tweed): Is the hon. Gentleman aware that the duke even had the gall to appeal to the local authorities, whose ratepayers had been put out of work by the actions of the trust, to finance these activities? The response was pretty cool.

Mr. Home Robertson: I am aware of that. That shows the brass neck that these people have. I am grateful to the duke for exposing the hypocrisy and thoroughly corrupt nature of what is taking place, perhaps inadvertently.

I have written to the Chancellor of the Exchequer and to the Inland Revenue office in Edinburgh to draw attention to this abuse of charitable status. I have demanded retrospective action to recover charitable tax relief from the organisation. I have received no substantive reply to my correspondence. I shall be grateful if the Minister can confirm that the charitable status of the trust is being reviewed in the light of this damning evidence.

I suppose that it can be argued that those who are hostile to legitimate netsmen, for whatever reason, are entitled to buy and extinguish netting rights by free-market transactions, but it is obscene for people who stand to gain directly from such developments to make purchases with the benefit of charitable tax relief.

The really squalid element is the fact that Her Majesty's Government are stabbing the netting industry in the back to enhance the position of the rod fishing proprietors. Perhaps the most shameless manifestation of such top-level connivance came in the House on 20 July this year, when the Government whipped in 287 Tory members to vote to take salmon rod fishing rights out of the rating system in Scotland—just hours after the same Whips were required to defeat the measure to relieve disabled people from the poll tax. What a contrast of priorities! But I suppose that we should never under-estimate the Tory party's commitment to the landowning fraternity in Scotland. Who knows—perhaps that gratuitous handout of £1·5 million in rating relief for impoverished lairds will help to fund the financial commitments of the Atlantic Salmon Conservation Trust.

A centuries-old tradition of legal netting is falling prey to a sordid alliance between riparian owners and their friends in the Government. I hope that remaining netsmen on the Tay and elsewhere will be able to survive the onslaught, but I think that the saddest footnote for the salmon is that this clearance of legal netsmen is leaving the lower reaches of our rivers wide open for unscrupulous high-tech poachers. Genuine conservation is further away than ever, despite the protestations of those involved in the affair.

I find it difficult to choose between the poachers who fish illegally and the other category of big-time property poachers who are behind the Atlantic Salmon Conservation Trust, such as Sir William Gordon-Cumming and the hon. Patrick Wills, both of whom are trustees and have either direct or indirect connections with the Moray Firth Salmon Fishery Company, which could, I suspect, stand to benefit from any future revival of netting rights acquired by the trust. It is interesting to speculate on that possibility.

There can be no justification for the vicious discrimination and harassment suffered by Scotland's salmon netsmen. As the House has a duty to protect citizens' rights, we are entitled to demand an urgent and, if necessary, retrospective review of the trust's charitable status, in the hope that anything forthcoming from it would help to restore the employment of those thrown out of work without compensation. We should also demand an assurance from the Minister that he will publish proper, credible, scientific evidence about the impact of netting on salmon stocks, and that he will review the weekly close time in the light of that evidence.

The Minister can say what he likes when he replies, but I should like straight replies to two specific questions. First, is a review being conducted, internally or otherwise, by the Inland Revenue into the charitable status of this highly suspect trust? Secondly, will there be a proper review by the Government of the impact of netting on salmon stocks, in the light of genuine evidence, not hearsay, pressure or political arm-twisting?

10.47 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Forsyth): I have listened with great interest to the hon. Member for East Lothian (Mr. Home Roberston). I must say that his criticism of the Government as champions of the landowning fraternity is

hard to take from that quarter. As the hon. Gentleman presides over some 1,000 acres in the Borders, I am not sure whether I can champion him.

The hon. Gentleman made his views on the activities of the Atlantic Salmon Conservation Trust pretty clear. They are already well known, and I listened in vain tonight for anything new that he might have to say. He has criticised it, not for the first time, for buying out nets in various rivers and around the coast of Scotland. It is clear that the sales of those netting stations are purely commercial arrangements between willing purchasers and willing sellers. I realise that where the stations have been leased the lessee will be the loser if the agreement takes the nets out of operation, and that there will also be a loss of mainly seasonal employment, but I am not sure what the hon. Gentleman thinks the Government should do about it. Certainly nothing in current legislation would allow us to take action, even if we thought it justified.

The hon. Gentleman has also seen fit to criticise the charitable status of the trust and I understand that he is pursuing the matter through other channels. That is, of course, a matter for him and I do not intend now or in the future to comment on the trust's status or the tax benefits arising from that status. The tax position is a matter between the Revenue and the individual or the individual company. However, I deplore the hon. Gentleman's use of this place to attack an organisation that is committed to the conservation of salmon, by referring to it as a shady organisation and making the accusations that he has made using the cloak of privilege.

The hon. Gentleman should acknowledge that the Trust's stated aim is to conserve a balanced stock of fish by managing that stock of fish in respective rivers of origin. There are many—not just proprietors—who will support that aim and who would prefer to see local, small-scale fishing effort, including nets where appropriate, take the place of large-scale commercial catching of salmon in coastal areas. The issue is one of balance, and it would be wrong to suggest that heritable rights can never be acquired or used in a different way to take account of changing interests or changing circumstances. The hon. Gentleman is, if I may say so, a personal embodiment of that principle. He has sought to criticise the trustees of the trust and to suggest that they have interests, but he must know that none of the three trustees has any personal interest in the ownership of salmon fisheries. The articles of the trusts specifically prohibit any fishing proprietor from being a trustee.

The hon. Gentleman referred to illegal fishing, but there should be a better appreciation on his part of what the Government and other enforcement agencies are doing at present. The Department of Agriculture and Fisheries for Scotland is aware of the increase in the reports of illegal fishing both in coastal waters and further out at sea, and has deployed enforcement resources accordingly. The hon. Gentleman asked what initiatives had been taken. I do not know whether he is aware of the successful prosecution of an Irish vessel operating outwith the 12-mile United Kingdom limit and the resulting penalty of some £9,500 for salmon offences. In addition, over 17 miles of illegally set salmon nets have been lifted by the protection service, and plans are already being made for enforcement deployment in 1989.

The hon. Gentleman argued that the loss of fishing time and the absence of lawful netsmen for the additional hours of the weekly close time will lead to less watching of the estuaries and the coast. I am not sure whether that is the case, but I would point out that there is an argument which, if it is pursued along those lines, comes to the absurd conclusion that there should be no weekly close time at all, on the basis that the continuous presence of netsmen and anglers will reduce or eliminate poaching.

Mr. Home Robertson: That is a rather weak point for the Minister to be reading from his brief, and whoever gave it to him needs to be checked out. The hon. Gentleman is not the sort of person whom I would normally invite to my house, but if he is seriously interested in this matter, on any weekend he could come to where I live on the Tweed and I could show him ample evidence of poaching, which was much less prevalent when there were people whose job it was to look after those banks and net those rivers legally. Now that those people have been removed, because of the actions of the hon. Gentleman and those of the trust, that estuary is bandit territory and the netting effort has increased.

Mr. Forsyth: If the hon. Gentleman has evidence or can point to examples of people who are breaking the law, it is not me whom he should invite to witness that. I must say that he has double standards. The hon. Gentleman criticised the Government for derating salmon property in Scotland and the resources being made available to the boards, but at the same time he argues that more action should be taken against poachers.

Mr. Brian Wilson (Cunninghame, North): Will the Minister give way?

Mr. Forsyth: No, I shall not give way to the hon. Gentleman. The effect of derating will be to make additional resources available to district fishery boards and thereby increase the resources that they have available to enforce action.

Mr. Wilson: Will the Minister give way?

Mr. Forsyth: I shall not give way.

Mr. Wilson: What the Minister is saying is utter rubbish.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. Mr. Forsyth.

Mr. Forsyth: If the hon. Gentleman thinks that he will make any progress in the House by being offensive and difficult, he has something to learn.

The hon. Member for East Lothian said that the loss of fishing time and the absence of lawful netsmen for the additional hours of the weekly close time will lead to less watching of the estuaries and the coast. If the hon. Gentleman followed that argument to its logical conclusion, we would have no close time. I remind the hon. Gentleman that it was a Labour Government——

Mr. Wilson *rose*——

Madam Deputy Speaker: Order. The Minister has made it clear that he will not give way. The hon. Gentleman has not sought to intervene in the Adjournment debate, and if the Minister is not giving way, I must ask the hon. Gentleman to resume his seat.

Mr. Forsyth: The hon. Member for East Lothian will recall that it was a Labour Government who, in 1951, first

[Mr. Forsyth]

extended the close time—without any compensation for the interests for whom the hon. Gentleman has made a plea tonight.

The hon. Gentleman made much play of the arguments about weekly close time for salmon netting. Earlier this year, the hon. Gentleman and I had a long discussion about this matter. We have consulted widely on our proposals and we have taken account of the views that have been expressed by the various interests. We did not bring the increase in close time into force immediately, as was done in 1951, and we gave notice until 6 May 1988 so that netsmen had a little breathing space.

Of course it is understandable that, since then, representations have been made on behalf of netsmen. I understand, however, that there is considerable support for the Government's decision. When the hon. Gentleman adopts a one-sided approach to the matter, he would do well to bear in mind that support as well as the fact that many regard the Government's decision favourably, on conservation grounds. The hon. Gentleman, more than most hon. Members, should appreciate the importance of passing on to the next generation what the present generation has inherited.

It is repeatedly alleged that an increase in the weekly close time is unnecessary because most, if not all, rivers in Scotland are fully stocked. All that the scientific evidence shows, however, is that young salmon can be found in all Scottish rivers where access and water quality are adequate. That does not mean that all rivers are fully stocked. There can be no doubt, in my view, that increasing the weekly close time will lead to larger numbers of eggs being deposited. In some areas that may well result in increased production of smolts. What is clear is that simply tinkering with the close time would have done no good at all—any increase had to be fairly substantial.

There is no reason why netsmen should continue to take such a high proportion of the fish landed. Their heritable rights give them no entitlement to a fixed proportion of the catch. At a time when salmon farming is producing large and growing quantities of salmon for the table and export, I can think of no logical reason for not shifting the balance of exploitation from netting to angling to some extent, which makes a greater contribution to the Scottish economy.

Mr. Wilson: Rubbish.

Mr. Forsyth: The hon. Gentleman would do well to consider his constituency interests and the interests of the hotel, tourist and service sector, which benefit from the substantial contributions made by rod fishing.

This debate has highlighted once again the divergence of views that the issue of wild salmon arouses. Clearly I cannot satisfy the hon. Member for East Lothian (Mr. Home Robertson), but I can point to evidence of the positive measures that the Government have taken to improve the management and conservation of wild salmon.

The Salmon Act 1986 was a major step forward. It gave new impetus to local conservation and enforcement by district salmon fishery boards and initiated the review of north-east of England drift net fishery. It set up the Salmon Advisory Committee, whose first report we are now considering.

The Government have played a major part in the wider, international conservation efforts of NASCO—the North Atlantic Salmon Conservation Organisation—and other bodies and will continue to do so. Conservation of wild salmon is a major heritage, amenity and economic issue for Scotland, as it has been for centuries. The hon. Gentleman may want to fossilise one aspect of salmon fishing, but times change and I believe that the measures that the Government are taking reflect the wider public interest in Scotland.

Question put and agreed to.

Adjourned accordingly at one minute to Eleven o'clock.

House of Commons

Wednesday 9 November 1988

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

PRIVATE BILLS [LORDS] (SUSPENSION)

Ordered,

That so much of the Lords Messages [3rd November and 8th November] as relates to the British Railways (Penalty Fares) Bill *[Lords]* and the Greater Manchester (Light Rapid Transit System) (No. 3) Bill *[Lords]* be now considered.

Resolved,

That this House doth concur with the Lords in their Resolution.—*[The Second Deputy Chairman of Ways and Means.]*

Message to the Lords to acquaint them therewith.

LONDON REGIONAL TRANSPORT BILL, BRITISH RAILWAYS (NO. 2) BILL, LONDON DOCKLANDS RAILWAY (BECKTON) BILL, ST. GEORGE'S HILL, WEYBRIDGE, ESTATE BILL, BIRMINGHAM CITY COUNCIL BILL AND SOUTHERN WATER AUTHORITY BILL

Ordered,

That so much of the Lords Messages [3rd November and 7th November] as relates to the London Regional Transport Bill, the British Railways (No. 2) Bill, the London Docklands Railway (Beckton) Bill, the St. George's Hill, Weybridge, Estate Bill, the Birmingham City Council Bill and the Southern Water Authority Bill be now considered.

Ordered,

That the Promoters of the London Regional Transport Bill, the British Railways (No. 2) Bill, the London Docklands Railway (Beckton) Bill, the St. George's Hill, Weybridge, Estate Bill, the Birmingham City Council Bill and the Southern Water Authority Bill shall have leave to suspend proceedings thereon in order to proceed with the Bills in the next Session of Parliament, provided that in the case of each Bill the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all fees due on the Bill up to that date be paid;

Ordered,

That on the fifth day on which the House sits in the next Session the Bills shall be presented to the House;

Ordered,

That there shall be deposited with each Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

Ordered,

That each Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first, second and third time and shall be recorded in the Journal of this House as having been so read;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.—*[The Second Deputy Chairman of Ways and Means.]*

Message to the Lords to acquaint them therewith.

Oral Answers to Questions

SCOTLAND

Rating Reform

1. **Mr. Nicholas Bennett:** To ask the Secretary of State for Scotland what figures he now has as to the percentage of adults in Scotland who have registered for the community charge; and if he will make a statement.

The Minister of State, Scottish Office (Mr. Ian Lang): Preliminary indications from community charges registration officers are that the number of people included on the community charges registers, which came into force on 1 October, amount on average to more than 99 per cent. of the adults resident in their areas according to the Registrar General's population figures.

Mr. Bennett: Does my hon. Friend agree that those figures give the lie to the campaign organised by some Labour Members that the Scottish people should refuse to register? Does my hon. Friend further agree that the figures confirm the good sense of the Scottish people in obeying the law and ignoring the illegal "Stop it" campaign supported by Labour Members?

Mr. Lang: My hon. Friend is absolutely right. A very bad example has been set by the Labour party in the matter of law breaking. The Scottish people, however, believe in obeying the law, and attempts by the Labour party to frustrate the compilation of the register have clearly failed.

Mrs. Margaret Ewing: Does the Minister accept that tomorrow will see one of the first main tests of public opinion on the poll tax in Scotland and that the votes cast in Glasgow, Govan tomorrow will show support for the SNP non-payment campaign and very little support for the Conservative party and the community charge?

Mr. Lang: I do not accept the hon. Lady's attitude and I await with interest the evidence of the 100,000-strong army of non-payers and law breakers that she intends to recruit to the SNP.

Sir Nicholas Fairbairn: Will my hon. Friend congratulate the people of Scotland on rejecting the blandishments to criminal activity by members of the Labour party and the Scottish National party, with the honourable exception of the shadow Secretary of State? Will my hon. Friend remind the Scottish people that, on average, the community charge will be only £5 per week per head, that if they are sensible enough to vote Tory, for example, in Perth and Kinross, it will be only £4 per week, but that if they are stupid enough to vote Labour it may be anything up to double that amount?

Mr. Lang: My hon. and learned Friend is absolutely right to draw attention to the figures published last week by my right hon. and learned Friend the Secretary of State. I emphasise that those figures are not speculative, but are founded in fact. They reflect the known facts relating to

the increase in inflation, which can affect the ceiling on business rates and the distribution and amounts of revenue support grant. As a result, any council spending more than the figure given by my right hon. and learned Friend will be doing so because it is increasing its spending.

Mr. Dewar: The Minister is simply peddling myths and doing so rather pathetically. Does he accept that at no time has the Labour party advocated non-registration? Our aim has been to build a coalition against the poll tax and we have succeeded remarkably. If the Minister wishes to shrug that off, how does he account for the fact that the poll tax is almost universally unpopular and in vast areas of Scotland his party is now an electoral joke?

Mr. Lang: It is plain that the hon. Gentleman is out of touch with the facts. Not only do recent opinion polls show a rise in support for the community charge, but in the past five months there has been a dramatic fall from 31 to 8 per cent. in the number of people intending to follow the blandishments of Labour Members of Parliament not to pay the community charge.

Health Boards (Savings)

2. **Mr. Riddick:** To ask the Secretary of State for Scotland whether savings have been made by the health boards in Scotland as a result of putting their ancillary services out to competitive tender.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Forsyth): Yes. In December 1987 I asked health boards to re-examine the potential for competitive tendering. The contracts awarded by the beginning of November as a result will save more than £14·5 million in the following three years, and that will be used for reinvestment in direct patient care.

Mr. Riddick: Can my hon. Friend confirm that the main opposition to competitive tendering has come from the Scottish TUC, the trade unions and the Scottish Labour party? While the Labour party argues in public that more money should be put into the Health Service, is it not true that in reality it is far more interested in maintaining its trade union monopoly empire, even at the expense of patient care? Does that not demonstrate the double standards of the TUC and the Scottish Labour party?

Mr. Forsyth: My hon. Friend is absolutely right in all but one respect—the policy of competitive tendering was opposed by all Opposition parties and by all Socialists in Scotland. My hon. Friend is right to point out that in doing so they have opposed improvements in patient care. The £14·5 million that has been saved is equivalent to 2,400 heart bypass operations, 4,800 hip replacement operations, the salaries of 700 extra nurses and 1,300 renal dialysis machines. I must tell Opposition Members who represent constituencies in the Edinburgh area that it is also equivalent to the entire cost of the recently completed phase 2 of the Western general hospital in Edinburgh, which provides 144 new acute beds in an intensive therapy unit.

Dr. Moonie: It might help if the Minister spent some of that money on providing a heart for himself. Can he give figures for the cost to the Health Service in Scotland during the next year of redundancy payments as a result of privatisation?

Mr. Forsyth: I know that the *Glasgow Herald* has suggested that the hon. Gentleman has given me too easy a time, but he will need to try a little harder than that to get accolades from that source.

The redundancy costs will be a one-off payment over the full period of the contract. I cannot give a precise figure, but about 2,000 people will be affected by competitive tendering. The best estimate I have is about £4 million over the total period.

Mr. Bill Walker: Does my hon. Friend agree that all the evidence on competitive tendering and the way in which we are using the money to benefit patients shows clearly that we are the only party that really cares about the patients? Will he confirm the story going around that the hon. Member for Glasgow, Garscadden (Mr. Dewar) has been consulting my hon. Friend on competitive tendering as he is considering that as a method to bolster his Front-Bench team?

Mr. Forsyth: My hon. Friend is right to point out the use of competitive tendering in the allocation of Front-Bench positions. Indeed, even the policy of opting out appears attractive to some people on the Opposition Front Bench.

My hon. Friend rightly said that our policy is in the interests of the patient. It has resulted in additional resources being made available for health care. It is significant that when it comes to crossing NUPE or COHSE, no Opposition Member is prepared to defend the interests of the patient.

Mr. Galbraith: Is it not true that the Government's paper savings are, in fact, of no benefit to the patients? The Government's policy is nothing but a piece of political ideology.

Can the Minister confirm that redundancy payments resulting from competitive tendering have been so large that the Scottish Office coffers are running low? Have not the health boards been told that in future they must pay 75 per cent. of all redundancy payments? When will the hon. Gentleman give up this rubbish about competitive tendering? When will he realise that the function of the Health Service is to look after the patients, not to put money into the pockets of his former clients and companies that have funded the Conservative party?

Mr. Forsyth: I have already confirmed that the estimate for redundancy costs is about £4 million. That is compared with savings of £14·5 million. The hon. Gentleman knows that redundancy costs are paid from the centre. There is adequate provision in our budget to meet them. There is no question of health boards having to find the money. Indeed, the Scottish health boards have £14·5 million available as additional resources for patient care. If the hon. Gentleman had had his way, that money would not have been available to them.

Pesticides

3. **Mr. Hood:** To ask the Secretary of State for Scotland if he will make a statement detailing the funding of research into the harmful effects of pesticides used in the Scottish agriculture industry.

Mr. Michael Forsyth: The Department of Agriculture and Fisheries for Scotland participates in programmes for the surveillance of pesticide residues in retail foods and provides interested parties with information on the environmental impact of pesticides.

Mr. Hood: Will the Minister acknowledge that his Government have announced cuts of £31·5 million in agricultural research in the United Kingdom, £2·37 million of which will be cut from Scottish agricultural research, which will have a devastating effect on scientists, jobs and their good work on behalf of consumers? Does he agree that those cuts will cost 79 jobs—10 per cent. of such jobs? Does he also agree that the research is into the safe use of pesticides in agriculture to make food free from pesticide pollution? Will he tell the House how he can support such ridiculous cuts?

Mr. Forsyth: The hon. Gentleman's question was about research funding for pesticides in Scotland. There have been no cuts, because there is no research funded in Scotland for that purpose. The hon. Gentleman talked about cuts in other research. We propose that additional resources for research in Scotland should come from those who benefit from it—the private sector. The hon. Gentleman makes a fundamental mistake if he assumes that making those who can afford to contribute pay is making cuts.

Mrs. Ray Michie: Will the Minister please define "near market research" in terms of agricultural research and development?

Mr. Forsyth: I am not entirely certain what the hon. Lady is complaining about.

Mrs. Michie: I am not complaining.

Mr. Forsyth: If the hon. Lady is not complaining about the Government's policy, I am delighted. I should have thought that she would support our policy of encouraging those who have a commercial interest and who will benefit from research carried out by the Government to make a greater contribution. She is quick to come to the House and argue for the interests of her constituents, particularly those who are involved in agriculture. She should welcome our policy, which will make more resources available to those who need help and support.

Mr. Nigel Griffiths: Clearly, the Minister is ill informed about the previous subject. Is he aware that the Barnes review, with its threat to near market research, is threatening institutes, such as the Moredun research institute and King's buildings in Edinburgh, is threatening to cut 1,500 jobs nationally and £30 million off the budget, although many of these institutes have already gone out and got a great deal of sponsorship and support from private industry, and is threatening to deal a mortal blow to them?

Mr. Forsyth: If the research is worth while to the industries which will benefit from it, surely they will be prepared to make a greater contribution than at present. In asserting that the money will not be forthcoming, the hon. Gentleman is asserting that the research is not of value, and I cannot possibly agree with that.

Industrial Rates

4. **Mr. Lambie:** To ask the Secretary of State for Scotland whether he has any proposals for changing the method of calculating Scottish industrial rates.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): From 1 April next year the maximum possible increase in business rates will be indexed to the rate of inflation. The Government are, moreover, committed to moving to a common non-domestic rate poundage in all areas.

Mr. Lambie: When will the Secretary of State be in a position to respond to the recent representations that he has received from the Chemical Industries Association and the United Kingdom Petroleum Industry Association that he should use his existing powers to set centrally a formula for calculating the decapitalisation rates to be used in dealing with the contractors' principle of valuation?

Mr. Rifkind: I assure the hon. Gentleman that that is being actively considered.

Mr. Andy Stewart: Will my right hon. and learned Friend reaffirm that, unlike the Opposition, the Government have no intention of introducing rating of agricultural land?

Mr. Rifkind: I recollect that at the last election the Labour party proposed that agricultural land should be rated for the first time. I have not the slightest doubt that that would be devastating to the interests of Scottish agriculture or that those in the rural community would be aware of a proposal to that effect.

Mr. Maxton: When the Secretary of State arrived at the absurd poll tax figures for next year, did he assess inflation for business rates by local government rises in costs, or by the standard rate of inflation? What account was taken of the number of people who will be in arrears? Does he agree with the Scottish Consumer Council that 50 per cent. of those who receive rebates will be in arrears three months after the tax coming into force? Did he take that into account when he arrived at the local government poll tax figures?

Mr. Rifkind: I understand the hon. Gentleman's embarrassment at the fact that we published figures based not on cuts being made by local authorities but on their existing level of expenditure. The non-domestic rate has been increased by the rate of inflation and the revenue support grant is being increased by almost double the rate of inflation. The simple fact that may cause discomfort to the hon. Gentleman and his local authority friends is that the figures that we published last Friday were based on the level of expenditure that local authorities are incurring in the current year. The non-domestic rate has been indexed to the rate of inflation and the increase in revenue support grant is substantially more than the current rate of inflation. The only explanation for local authorities choosing higher community charges is that they are going for growth in expenditure. Under the new system of local authority finance, for the first time local authorities will be accountable to their electors, all of whom will be asked to contribute to the cost of that excessive spending.

Infant Teaching

5. **Mrs. Fyfe:** To ask the Secretary of State for Scotland whether he will reconsider publishing the information collected for the Scottish Education Department's report on the under-sixes following publication of the House of Commons Select Committee on Education report on the under-fives.

Mr. Michael Forsyth: No, Sir.

Mrs. Fyfe: Is the Minister aware that he has presided over the worst pre-school provision of all the member states of the EEC? Britain has the lowest provision, and Scotland is lower than that. Has he read the modest proposals in the EEC Childcare Network report? If so, how does he intend to respond to them? What is he hiding by refusing to publish his Department's report?

Mr. Forsyth: I am not aware of the assertions that the hon. Lady has made, but if the position is unsatisfactory it is because pre-school provision is a local authority responsibility. If the hon. Lady is arguing that the position is less than satisfactory, I should point out that under this Government the number of pupils under-fives attending some form of pre-school provision has risen by 5,000 since 1981. The majority of children aged between three and four are involved in pre-school provision. As to not publishing the Department's study, the hon. Lady will know that it was not completed. It was a research project, not a symphony, and it would not be useful if it were published in an unfinished form.

Mr. Wray: Will the Minister explain why in 1977 a Labour Government spent more on nursery education than this Tory Government spent in 1988? According to Government figures given in answers to questions on 25 July, 29,300 pupils were receiving education in 1977, which cost £29,490,000. In 1988, with 10,000 more pupils and 89 more school departments, £300,000 less was spent on nursery education in Scotland, with £3 million less being spent in Strathclyde.

Mr. Forsyth: It was not a Labour Government who spent the money. The responsibility for pre-school provision rests with local authorities. Through the rate support grant, the Government have made an increase in provision of 26 per cent. since 1979. Although we have given mainly Labour-controlled local authorities more money for this purpose, they have chosen to spend it on other priorities. The hon. Gentleman must take up the matter with his colleagues on Stratchclyde regional council and other Labour-controlled authorities.

A74

6. **Mr. Bellingham:** To ask the Secretary of State for Scotland if he will make a statement on progress with plans to modernise the A74.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): The Government are committed to upgrading the A74 to motorway status. The A74 route corridor has been divided into three sections for feasibility study purposes and a consulting engineer has been commissioned for each. Final reports should be available fairly soon, but it will take some time to assess the consultants' findings and recommendations.

Mr. Bellingham: As one who holidays regularly in Scotland and often uses the A74, I welcome my hon. Friend's comments. Does he agree that it is surprising, when so much money has been spent on Scotland's road infrastructure, that this road has been neglected, given that it is Scotland's most important road? Is my hon. Friend aware that there have been many fatal crossover accidents on the A74? Surely it is time to have crash barriers installed down the whole length of the road.

Lord James Douglas-Hamilton: I note my hon. Friend's comments about crash barriers. It is important for the infrastructure of the lowlands of Scotland that this development should go ahead as soon as practicable. Studies are progressing as quickly as possible, but it will be next year before preliminary conclusions can be drawn. It will not be until late 1989 that a public announcement can be made and draft orders prepared. Work on the first scheme of the project will begin as quickly as possible, and continue through the 1990s. I shall look into my hon. Friend's point about crash barriers and accidents and let him know the results.

Mr. McKelvey: Does the Minister recall that on his recent visit to Kilmarnock he travelled along the A77, which joins the A74? Does he realise that that is the main route from Kilmarnock to the south? Is the hon. Gentleman aware that almost 15 miles of that four-lane route have no barrier or central reservation and that frequently there are serious accidents on those stretches? Will the hon. Gentleman ensure that in the foreseeable future barriers are placed down the whole length of the A77?

Lord James Douglas-Hamilton: The hon. Gentleman's point does not spring from this question, but I shall look into it and let him have a full reply on crash barriers. We still have to make decisions on the allocations for the roads programme for next year, and I shall be in touch with the hon. Gentleman about that.

Mr. Jack *rose*——

Mr. Speaker: Order. Does this road go through Fylde?

Mr. Jack: My question is about Scotland, Mr. Speaker.

Mr. Speaker: Then I call Mr. Jack.

Mr. Jack: Thank you, Mr. Speaker. Will my hon. Friend confirm that the A77 is not the only road improvement at which he is looking or which has been completed in Scotland, and that other projects have made a major contribution to the improved Scottish infrastructure and to improvements in the economy which seem to have been ignored by the Opposition?

Lord James Douglas-Hamilton: More than £100 million is spent each year on the Scottish trunk roads programme. The building of the M74, like the building of the A9, will be spread over a considerable number of years. We shall bear in mind the needs of all the other road programmes throughout Scotland.

Motherwell Enterprise Trust

7. **Dr. Bray:** To ask the Secretary of State for Scotland what discussions he has had with the Motherwell enterprise trust.

Mr. Rifkind: During a visit to Lanarkshire on 27 and 28 September I met representatives of the Motherwell enterprise trust on a number of occasions, when there was a useful opportunity to discuss the operation of the trust and its various activities.

Dr. Bray: Is the Secretary of State aware that his visit was welcome, but he will need to come back soon because he left a lot of unfinished business? Is the right hon. and learned Gentleman aware that the Scottish Development Agency has run down, almost to the point of closure, its Motherwell project office and that many issues in Lanarkshire are too big for local enterprise trusts to handle? Has the right hon. and learned Gentleman checked in particular what the BSC privatisation prospectus will be able to say about the essential contribution that Ravenscraig, Dalzell and Clydesdale will make to industry in Scotland?

Mr. Rifkind: I am grateful to the hon. Gentleman for his kind invitation to visit his constituency again. Consideration is being given to a further phase of the Motherwell project. In addition, we have substantially increased the resources available to the Motherwell enterprise trust, from £13,000 last year to £30,000 in 1988-89. The trust has received more than £60,000 from the SDA for specific projects this year in the area of the Motherwell enterprise trust. I have no doubt that Ravenscraig and Dalzell will continue to make an important contribution to the employment and economy of Lanarkshire, and I think that that is the view of both sides of the House.

Scottish Homes

8. **Mr. Ingram:** To ask the Secretary of State for Scotland if he will make a statement about progress with the establishment of Scottish Homes.

Lord James Douglas-Hamilton: Under the Housing (Scotland) Act Scottish Homes will be established formally on 1 December 1988. The chairman, chief executive and eight additional members of the Scottish Homes board have now been appointed.

Mr. Ingram: The Minister is pressing on with his intention to wind up public sector housing in Scotland, but does he think that it is democratic to transfer the control of housing stock from one housing body to another without consulting the tenants, as occurred recently in the Borders? Is it democratic to refuse direct representation for the 83,000 Scottish Special Housing Association tenants of Scottish Homes?

Lord James Douglas-Hamilton: Tenancies in the Borders have not been transferred. What is at stake is a management agreement. The SSHA has a number of management agreements with district councils. The SSHA is perfectly entitled to have them, but it is under an obligation to ensure that a very good service is provided. All that most tenants of Scottish Homes will notice is a change of name. They will have the same rights and their rents will be fixed in the same way. Furthermore, the tenants will deal with the same people as they dealt with in the past.

Mr. Ron Brown: As many SSHA tenants have been conned into buying their substandard homes, will the Minister agree to meet a delegation of their representatives before Scottish Homes comes into existence?

Lord James Douglas-Hamilton: I am not quite sure what the hon. Gentleman wants me to see a delegation about, but the rights that SSHA tenants now enjoy will be maintained and will continue. Scottish Homes is designed to encourage and bring about urban regeneration by means of a much faster and more efficient process than has been used in the past.

Mr. Gerald Howarth: Will my hon. Friend confirm that public sector investment in public housing in Scotland has increased by 16 per cent. under this Government, whereas it fell by 37 per cent. in real terms when the Labour party was in power? Therefore, the Opposition have no right to complain about my hon. Friend's performance.

Lord James Douglas-Hamilton: Public sector investment has increased substantially since 1979. The recent supplementary allocation for public sector spending on public sector housing in Scotland has amounted to an increase of more than £30 million in the past year.

Mr. Home Robertson: I do not know who is handing out these daft supplementary questions to English Back Benchers on the Government side of the House, but will the Minister confirm that he is encouraging the SSHA to transfer the management, and in due course the ownership, of SSHA houses in various areas to private interests? Does he recall an assurance given in the House on 11 January by the Secretary of State for Scotland that no indvidual SSHA tenant would be compulsorily transferred to a high-rent, low-security tenancy in the private sector? Since it would have been unparliamentary for the Secretary of State to have lied to the House at that time, will the Minister tell us what those assurances really meant?

Lord James Douglas-Hamilton: With regard to tenants' choice, my right hon. and learned Friend said that every commitment he has made will be adhered to and stood by. There have been voluntary disposals of tenancies by local authorities for many years, including the setting up of co-operatives. If subsequently there should be a proposal to change the ownership of Waverley housing trust, tenants will be given the statutory right to be consulted.

That statutory right is to be debated later today.

Eduation Reform

9. **Mr. Harry Ewing:** To ask the Secretary of State for Scotland what representations he has received on national testing and the national curriculum.

Mr. Michael Forsyth: There were over 1,000 responses to the consultation document on curriculum and assessment and these showed considerable support for the principles of redefining the curriculum, improving assessment and giving more and better information to

Mr. Ewing: It is not a question of more and better information—in other words, national testing. Will the Minister explain in simple terms to very worried parents what will happen to a child if, when he is tested at seven and 11, he produces poor results? What impact will that have on that child when he goes into secondary education?

One of the main reasons, among others, for the people of Govan voting for Bob Gillespie, the Labour candidate, tomorrow is that parents in Govan are desperately worried about the serious damage that the Minister is doing to Scottish education.

Mr. Forsyth: The hon. Member should recognise that when we talk about more information for parents, we are not talking just about introducing testing in English and mathematics at primary four and primary seven. We are talking about providing a new report card that will give information about each child's performance in every subject. It will include a statement to parents about what their children are expected to learn and the level of attainment that they have reached. If the hon. Gentleman thinks that people in Govan or anywhere else do not want to know how well their children are doing at school, he is out of touch.

When a child is identified as having difficulty with basic literacy and numeracy, he or she should be given extra assistance. One of the things that have come out of restart is the fact that far too many children have gone right through primary and secondary education, but have come out with basic difficulties in literacy and numeracy. Not only have those difficulties not been identified, they have not been attended to.

Mr. John Marshall: Does my hon. Friend agree that a recent opinion poll shows that two Scots out of three approve of the Government's educational policies? Does he agree also that those policies give parents more information and will result in better standards? Does he further agree that the same opinion poll showed that two Scots out of three want opting out to be introduced to the Scottish system? Will he fulfil the wishes of the Scottish people and introduce a Bill in the near future that will allow opting out?

Mr. Forsyth: My hon. Friend is right to draw attention to that recent opinion poll, but I should add that it was carried out by the *Daily Express*. The Mori poll carried out in May for *The Scotsman* might be more to the taste of the hon. Member for Glasgow, Garscadden (Mr. Dewar). Even then, before the Educational Institute of Scotland's campaign, which seems to have coalesced support for the Government's proposals, the Mori poll showed that some 45 per cent. of parents approve of testing in primary schools. The general secretary of the EIS has said that, by drawing attention to the desire for choice and information for parents, the Government have identified a weakness in the education system in Scotland which parents are determined to have removed.

Mr. Norman Hogg: In what way have the Government altered their stance on the curriculum and assessment to meet the reservations of teachers and parents? Does the Minister agree that there continue to be severe reservations about the narrowing of the curriculum, ranking of pupils in schools, teaching to tests and placing undue stress on young children? Why do these fears persist in spite of the Secretary of State's statement? Who has the Secretary of State convinced? Who has the Minister convinced? They have certainly not convinced parents and teachers in Scotland.

Mr. Forsyth: The hon. Gentleman is always very fair, and he is fair enough to point out that we have adapted our proposals on the curriculum and assessment to meet anxieties that have been expressed about the ranking of pupils and selection. He is right to say that my right hon. and learned Friend has given a clear indication that the results of testing will not be used to rank children in class and that the information will be limited to parents and teachers. There is no question of pass and fail examinations being used to provide entry to a secondary school. *[Interruption.]* The hon. Gentleman asked why nobody believes that. The answer is, I think, that there are not many people in politics or in the trade union movement who share his respect for the facts and for constructive and informed debate.

Mr. Harry Ewing: On a point of order, Mr. Speaker. In view of the utterly unsatisfactory nature of that reply, I give notice that I shall seek leave to raise the matter on the Adjournment at the earliest opportunity.

Industry (Ownership)

10. **Mr. Darling:** To ask the Secretary of State for Scotland what estimate he has of the likely pattern of ownership of industry in Scotland over the next five years; and if he will make a statement.

Mr. Lang: In the past nine years there has been a net increase of around 15,000 registered Scottish companies, and the number of individual shareholders in Scotland has doubled. Given the maintenance of the Government's economic policies, which have created in Scotland an environment in which enterprise can flourish, I fully expect these trends to continue.

Mr. Darling: If Terry Butcher and I can share the same platform in defence of a Scottish company, will the Minister accept that there is a growing feeling that Scottish and Newcastle is merely one company in a line of others that is at risk of foreign takeover in Scotland? Will he accept that the Government's open-door policy to mergers will put the ownership of Scottish industry at risk, and that companies such as Scottish Electricity will be owned by people who are based on the other side of the world, perhaps, and not in Scotland? What will he do to protect Scottish industry?

Mr. Lang: I understand the hon. Gentleman's anxiety about a specific company. As he knows, the Director General of Fair Trading has been reviewing the matter and the Scottish Office has been involved in the consultations. The director general's report has been passed to my right hon. Friend the Secretary of State for Trade and Industry, and presumably he will make an announcement in due course.

Sir Russell Johnston: Will the Minister say what advice his right hon. and learned Friend the Secretary of State has given to Lord Young about the takeover? What estimate has the Government made of job losses in the event of Elders being successful?

Mr. Lang: I am not in a position to disclose advice of that sort to the hon. Gentleman. The result of the Scottish Council's surveys show that there are as many jobs in manufacturing industry in Scottish-owned companies now as there were 10 years ago. The hon. Gentleman is unduly sensitive about that issue.

Mr. Redwood: Does my hon. Friend agree that the most dramatic change in ownership in Scotland could come

about in the next five years from a large privatisation programme? Does he accept that that would be a real way in which to return power and control to the Scottish people? That is something that hon. Members on both sides of the House should welcome, especially those who represent parties which cannot decide whether they are for or against devolution of power.

Mr. Lang: My hon. Friend is right. The greatest single cause for the transfer of Scottish companies out of Scotland—the transfers include the famous companies of Colville, Stewart and Lloyd, Scott Lithgow, Yarrow, Kincaid, Robb Caledon, Alexanders and MacBrayne—has been nationalisation under Labour Governments. We propose to denationalise industry. As my hon. Friend says, that will enable electricity companies and bus companies, for example, to be re-established in Scotland.

European Single Market

11. **Mr. Doran:** To ask the Secretary of State for Scotland what steps he proposes to take to encourage the presence of business headquarters in Scotland in advance of the single European market; and if he will make a statement.

Mr. Lang: Through Locate in Scotland the Government continue successfully to encourage companies to establish themselves in Scotland. Many such companies have already set up headquarters for their manufacturing facilities in Scotland in order to serve European markets; and 1992 offers further opportunities for such developments.

Mr. Doran: Perhaps the Minister will agree with me that although it is important to attract new industry to Scotland, it is important also to protect local and indigenous industry. Is he aware that this afternoon the Hall Russell shipyard in my constituency has been forced to bring in the receiver, thus putting at risk 450 jobs and the only remaining shipyard on the east coast of Scotland? Will he join me in encouraging the Overseas Development Administration to allow the yard sufficient draw-down facilities to ensure the completion of the St. Helena ferry, which is now under construction, and assist us in our aim to retain the yard as a viable unit under the receiver, with a view to a successful purchase in future?

Mr. Lang: I have noted with concern and regret the decision of Hall Russell to call in a receiver this afternoon. I hope that the difficulty will prove to be transitional. The ODA will wish to be in touch with the receiver because of its interest in the St. Helena ferry. The ODA stands ready to give whatever help it can to secure the future of the yard.

Mr. Oppenheim: Has my hon. Friend seen the recent figures that show that the output of the Scottish electronics industry has expanded by one third in the past five years and that the number of skilled technical graduates employed in the industry has increased by no less than 25 per cent.? Of the foreign investors that are investing in the industry, American and Japanese companies predominate. All this is excellent news, but it highlights the danger to the Scottish economy of the Fortress Europe mentality that is now so prevalent in Brussels.

Mr. Lang: I take my hon. Friend's point. He is right to draw attention to the success of the Scottish electronics industry, which now provides about 45,000 jobs. Increasing numbers of companies from America, Japan and elsewhere are choosing to locate their manufacturing base in Scotland for the single European market in 1992. This gives a more accurate reflection of the reality of the Scottish economy than some of the comments that we hear from Opposition Members.

Mr. Dewar: Does the Minister accept that the serious and disturbing news about Hall Russell directly threatens the existence of an important and well-established Scottish company? Does he recognise that, whatever the difficulties faced by management, the skills of the work force are still there, the St. Helena ferry order has still to be completed, and, I hope, that further orders can be won? We would all echo the Minister's hope that the difficulties will be transitional, but will he give a guarantee that he will take positive steps to see that the yard remains in business and that the jobs are secured?

Mr. Lang: If the hon. Gentleman is suggesting that the Government should step in with an open cheque book, I have to draw his attention to the EC directive on such matters. We stand ready to give whatever help we can to the Scottish Development Agency and, as I said earlier, we hope that this will be a transitional difficulty.

Education Reform

12. **Mr. Patrick Thompson:** To ask the Secretary of State for Scotland what representations he has received in favour of bringing his proposals for educational reform in Scotland into line with England.

Mr. Michael Forsyth: My right hon. and learned Friend has no such proposals. Our education policy throughout the United Kingdom is geared to ensuring greater parental involvement in the management of schools, an extension of parental choice, and the pursuit of excellence. This is in the best traditions of the Scottish education system.

Mr. Thompson: Bearing in mind the evidence of strong support in Scotland for the education reforms being carried through by the Government, will my hon. Friend confirm that there already is in Scotland a majority of parents on school boards, making nonsense of Opposition claims that in some way Scotland is following England? Quite the reverse is the case.

Mr. Forsyth: My hon. Friend is right to draw attention to the parental majority on school boards in Scotland, which contrasts with the position in England. It is a bit rich that the Educational Institute of Scotland complains in Scotland that our proposals for reform represent Anglicisation, while at the same time it comes to London to the other place to claim that Scotland is being unfairly treated because there is a majority of parents provided for in the School Boards (Scotland) Bill and urging the other place to reject those proposals to bring Scotland into line with England. The cry in Scotland appears to be Anglicisation, and in London that Scotland is being prevented from having a separate system. My hon. Friend points to the evidence of considerable support for our proposals, and he is right to do so. [HON. MEMBERS: "What evidence?"] Those hon. Members who say, "What evidence?" should have a word with their constituents.

Mr. McAllion: Does the Minister agree that, through the ballot box and the Government's consultation process, the people of Scotland plainly rejected his plans for introducing school boards and provisions to opt out of local authority education? How does he justify introducing those wide-ranging changes in Scottish education—a specifically Scottish institution—without first seeking to gain the consent of the Scottish people?

Mr. Forsyth: I do not accept that the majority in Scotland are opposed to the school boards proposals. I believe that they will be welcome. Let me draw the hon. Gentleman's attention to what the leader of Strathclyde's education committee, Convener Malcolm Green, said the other day. In response to our opting-out proposals—*[Interruption.]* In response to my right hon. and learned Friend's hint that he might be considering opting out, he said:

"It is now in our interest to redouble our efforts to create a good climate so that school boards realise the real value of the service they get from the authority and what they would miss if they do not have the authority to call upon."

Even the threat of opting out seems to produce benefits for parents in Scotland.

Hospitals (Competitive Tendering)

13. **Mr. Hind:** To ask the Secretary of State for Scotland what progress has been made with regard to competitive tendering in National Health Service hospitals in Scotland; and if he will make a statement.

Mr. Michael Forsyth: Since December 1987, when I asked health boards to re-examine the potential for competitive tendering they have been awarding contracts for catering and domestic services. By the beginning of November 39 contracts had been awarded, which will produce estimated savings over the next three years of over £14·5 million. A few more contracts are still to be awarded during this current round and thereafter boards will press ahead with further tendering.

Mr. Hind: Does my hon. Friend agree that competitive tendering in the Health Service in Scotland will help further to improve it, as indeed the Government have already done by increasing the amount of money spent in the Health Service by 30 per cent. since 1979 and increasing the number of consultants by 10 per cent. and the number of qualified nurses by 30 per cent.?

Mr. Forsyth: My hon. Friend is absolutely right. One of the most significant aspects of the competitive tendering process, which Opposition Members used to call privatisation, is that 70 per cent. of contracts and the bulk of the savings have been achieved from in-house bids by the existing work forces looking at the way in which they provide the services, removing restrictive practices and overmanning, and seeing that every penny is directed to the interests of their patients.

Mr. Strang: Is it not an absolute scandal that more than 800 ancillary workers are being sacked by the Lothian health board to make way for private contractors? How does the Minister justify that action? Many of those women have given more than 20 years' dedicated service to the board. Is the Minister proud of the fact that they have been offered jobs inferior to those they have at present, sometimes involving less than half the number of hours that they currently work?

Mr. Forsyth: What was an absolute scandal was the lack of leadership shown by the trade union movement towards the people who were in that position. The trade unions refused to take part in the competitive tendering process, and in some cases the health boards had to bring in management consultants to assist the in-house work forces make their bids. The trade unions abandoned them. Despite that, many of those in-house bids were successful. As the hon. Gentleman knows, those who lost their employment because of the introduction of private contractors have in the main, as a matter of priority, been offered jobs by the private firms concerned. As the hon. Member for Kirkcaldy (Dr. Moonie) pointed out, they are fully entitled to any redundancy payments that may arise from their length of service.

Electoral Registers

14. **Mr. Harry Barnes:** To ask the Secretary of State for Scotland what is the anticipated percentage change in the numbers appearing on the electoral registers for 1988 and 1989.

Lord James Douglas-Hamilton: No forecasts of the numbers on the electoral register are prepared. The projected population aged 17 and over shows an increase of 0·16 per cent. between 1988 and 1989.

Mr. Barnes: Is there not a considerable danger that, due to the operation of the poll tax in Scotland, the franchise will be considerably reduced, either in the coming year or by 1990, when the tax will begin to bite? In those circumstances, clearly there is a case for repealing the legislation, otherwise a future Government may have to introduce a Re-enfranchisement of the People Act.

Lord James Douglas-Hamilton: No, I cannot accept that suggestion. On the basis of the population projections, a slight increase of about 11,000, or 0·28 per cent., might have been expected. The actual numbers show a fall of about 27,500, or 0·69 per cent. As to the reasons, no definite information is available on what part of that reduction might be attributable to any one factor, such as changes in practice by electoral registration officers or the removal of dual registrations.

Mr. Patnick: Can my hon. Friend explain what percentage of the Scottish electorate vote in local elections, and can he say what effect, if any, the community charge will have on voting patterns?

Lord James Douglas-Hamilton: The percentage of the electorate voting in local elections is considerably below that for general elections——

Mr. Harry Ewing: What is it?

Lord James Douglas-Hamilton: The hon. Member for Falkirk, East (Mr. Ewing) asks me what exactly is the figure. To the best of my knowledge, it is less than 50 per cent.

This question relates directly to the electoral roll, and it is vitally important that it is kept separate from the community charge register; that it is separately prepared and maintained. That is the crux of the matter.

Pollution

15. **Mr. Menzies Campbell:** To ask the Secretary of State for Scotland what recent representations he has received about pollution in the North sea.

Lord James Douglas-Hamilton: Since 1 July this year my right hon. and learned Friend has received representations about pollution in the North sea from the hon. and learned Gentleman, and from two organisations and five individuals.

Mr. Campbell: Does the Minister accept that there is real concern about the level of pollution in the North sea up and down the whole of Scotland's east coast? Will he undertake on behalf of the Government to take proper steps to deal with that matter? In particular, will he give an undertaking to make the necessary capital allocation to Fife regional council, so that it can institute the Levenmouth sewage disposal scheme?

Lord James Douglas-Hamilton: Fife regional council's allocation for water and sewerage has risen steadily from £5·5 million in 1985-86 to £7·7 million in 1988-89. Sixty to 70 per cent. of that figure relates to sewerage and sewage treatment. The allocation and guideline figures for 1989-90 and for 1990-91 are close to the council's own planned expenditure figures and are about 11 per cent. above the Scottish per capita average. Nevertheless, I take seriously the hon. and learned Gentleman's general point.

Dr. Godman: The Minister knows that our fishermen are deeply concerned about marine pollution. Does he agree that they would be encouraged if the Government were to instruct Occidental to remove completely from the sea bed what remains of the ill-fated Piper Alpha? Will the Minister kindly advise his right hon. Friend the Secretary of State for Energy that section 5 of the Petroleum Act 1987 gives him precisely that power to impose upon Occidental a programme of complete removal?

Lord James Douglas-Hamilton: The hon. Gentlman has raised a very interesting point, which I shall draw to the attention of my right hon. Friend the Secretary of State for Energy.

Scottish Development Agency

16. **Sir Nicholas Fairbairn:** To ask the Secretary of State for Scotland when he next expects to have a meeting with the chairman of the Scottish Development Agency; and what matters will be discussed.

Mr. Rifkind: I meet the chairman, board and chief executive of the agency on a regular basis to discuss issues of mutual interest. The next such meeting is due to take place early next year.

Sir Nicholas Fairbairn: Will my right hon. and learned Friend accept the thanks and congratulations of the people of Scotland for the £92 million that he has won from the Treasury in addition to our budget? May I also congratulate him on increasing the budget of the Scottish Development Agency to in excess of £150 million, and making the Locate in Scotland bureau the most admired and efficient inward investment organisation in western Europe?

Mr. Rifkind: I am grateful to my hon. and learned Friend. Locate in Scotland has indeed been particularly successful over the past two or three years in attracting major new investment, and I am happy to pay tribute to it.

Mr. Robert Hughes: Does the Secretary of State recall that Hall Russell shipyard was privatised by his Government and given its present ownership, and that he has a responsibility towards the work force? In an earlier reply his hon. Friend the Parliamentary Under-Secretary said that the Scottish Development Agency was standing by to help if necessary, but is the Secretary of State aware that a meeting held yesterday was not very helpful in the circumstances? Will he agree to meet my hon. Friend the Member for Aberdeen, South (Mr. Doran) and me today to discuss the position as a matter of urgency?

Mr. Rifkind: I assure the hon. Gentleman that we have given continual and considerable support to Hall Russell over the last year. I think he knows that from his own experience. Of course, if either he or his hon. Friend wishes to put any particular points to me, or to my hon. Friend the Minister of State who deals with such matters, we shall be happy to hear them.

Mr. Bill Walker: When he meets the chairman and other members of the Scottish Development Agency, will my right hon. and learned Friend ask them to remind the Scottish business community continually that, because of our so-called "open-door" policy, inward investment in Scotland has been of great help, bringing many jobs and great prosperity? Will he point to the danger that any kind of ring fence—any attempt to make Scotland isolationist —would have the same effect that it had in Quebec of driving jobs and investment away?

Mr. Rifkind: My hon. Friend is right. It would not only deter investment in Scotland, but ultimately prevent Scottish companies from expanding elsewhere in the United Kingdom and overseas. The Scottish economy and that of the United Kingdom as a whole has always benefited from a willingness to employ sensible trading and investment policies of the kind to which my hon. Friend referred.

Health Boards (Funding)

17. **Mr. Kennedy:** To ask the Secretary of State for Scotland if he has any plans to increase the funding allocations to health boards; and if he will make a statement.

Mr. Michael Forsyth: An additional £12·7 million has been allocated to the National Health Service in Scotland to cover the extra cost of this year's nurses' clinical regrading. This brings the total of additional funding to cover the cost of review body pay awards to £104·7 million. After taking account of centrally funded expenditure, the additional sum distributed to health boards amounts to £93·4 million.

Mr. Kennedy: Will the Minister take on board the fact that in the Highland health board area, and no doubt in every other health board area in Scotland, many nurses are deeply concerned about the proposed clinical regrading and will be appealing against the grades that they have been allocated? Will he also bear in mind that in the Highland health board area specifically, many patients,

particularly on Skye and the west coast and in the more rural or isolated communities, find it very difficult to cope with the changes in patient expenses for travelling to the centre of excellence in Raigmore hospital? Does he accept that that is a financially based problem for the health board in which he should have legitimate interest, with a view to further funding?

Mr. Forsyth: I have asked the Highland health board to reimburse patients for the costs incurred, and I regret that that was not done over a period of some months. I have asked the board to see that money is made available to any patients who were not treated fairly.

The hon. Gentleman must appreciate that under the Government nurses' pay has risen by 44 per cent. in real terms, while the Labour Government cut it by 20 per cent. If nurses are concerned about their grading, there is an appeal process. However, I am entitled to point out that the majority of sisters in hospitals in Scotland will have a pay rise of between £2,000 and £3,000 a year. By any standard, that is a major contribution to the Health Service and a major recognition of their work. What a pity that the hon. Gentleman cannot bring himself to recognise that.

Scottish Development Agency

18. **Dr. Godman:** To ask the Secretary of State for Scotland when he last met the chairman of the Scottish Development Agency; and what matters were discussed.

Mr. Lang: My right hon. and learned Friend and I met the chairman and board of the agency on 16 May to discuss strategic issues which might be reflected in the agency's planning and budgeting process, and other matters.

Dr. Godman: I hope that when the Secretary of State next meets that estimable Greenockian, he will give him an assurance vis-a-vis the Hughes proposals that the SDA will continue in its present role in the Scottish economy. Is it not the case that the agency's area projects must be allowed to continue their valuable work? I remind the Minister that the Inverclyde initiative has financed and supported the Inverclyde training trust, which provides unemployed people with the skills that they will need in the enterprise zone. In that regard, the Inverclyde initiative and the Inverclyde training trust are surely an advance on Mr. Hughes and his proposals.

Mr. Lang: The Inverclyde enterprise zone and the Inverclyde initiative represent major initiatives by the Government, administered by the Scottish Development Agency. The budget for the agency next year is £150 million. We have made it clear that we see a continuing role for the agency within the exciting prospect of the new developments that we are contemplating under the Scottish Enterprise title.

Student Support (White Paper)

3.31 pm

The Secretary of State for Education and Science (Mr. Kenneth Baker): With permission, Mr. Speaker, I wish to make a statement about future arrangements for student support.

Two years ago I set up a review of student support to examine how the maintenance needs of students may be met. We have the most generous system of student support in the western world, yet fewer of our young people enter higher education than in other European countries.

In our 1987 election manifesto we said that the purpose of the review was to improve the overall prospects of students so that more are encouraged to enter higher education. We specifically mentioned top-up loans to supplement grants as one way of bringing in new finance to help students and to relieve pressure on their parents.

The review has now been completed. We believe that the cost of student maintenance should be shared more equitably between students, their parents and the taxpayer. The Government are therefore today publishing a White Paper which sets out our proposals to introduce a scheme of top-up loans for students. We propose that from 1990, in addition to their grant, all home students in full-time higher education, except postgraduates, will be eligible for a top-up loan averaging over £400 in a full year.

This top-up loan facility will not be means-tested. Students will be able to take up as much or as little of it as they wish. The present grant arrangements will continue, but the overall levels of grant will be frozen in cash terms at their 1990 levels. As the grant also incorporates in most cases a parental contribution, this means that over time the average parent will be paying less in real terms. From 1990, students' total resources in grant and top-up loan will continue to be reviewed annually. Any uprating to reflect cost increases will be applied only to the top-up loan facility until the top-up loan has risen to the same level as the grant and parental contribution taken together.

The top-up loans will not bear a commercial rate of interest. Under the Government's proposals, top-up loans will be offered at a real interest rate of zero. The principal to be repaid will be uprated each year in line with inflation. Repayments will not start until the April after students complete their courses. Furthermore, repayments will be deferred when a graduate's income is low for any reason.

In 1985, the Government announced their intention to remove students from the social security system. Accordingly, the Government will end the general eligibility of students for social security benefits, whether or not they qualify for top-up loans. Benefits will, however, continue to be available for students who are disabled or single parents, and for students' dependants.

The level of the top-up loan will more than compensate the great majority of students for any loss of benefit. We estimate that the average level of social security benefit which would otherwise be claimed in 1990-91 is about £150. That compares with our loan facility of £420 in that year.

I recognise, however, that there may be local circumstances in which some further help may be needed, and postgraduate and further education students will not have access to loans. I will establish, therefore, three access funds, each of £5 million, to provide support on a discretionary basis to students in special financial need. The funds will be for postgraduates, other students in higher education, and students in further education. Their operation will be reviewed after three years. They will be administered by the colleges, central institutions, polytechnics and universities throughout the United Kingdom; these institutions are best placed to understand the circumstances of their students.

The terms of the top-up loan scheme we are proposing are much more favourable than those of the borrowing on which many students rely at present. And instead of students having to rely on a social security system which was never designed for them, we shall be providing appropriate discretionary arrangements to help those in real need. This is a major step forward to achieving our target of more young people going into higher education.

In the Government's view, the top-up loan scheme is best administered by the financial institutions. I am now embarking on discussions with them. I shall also consult the funding councils and representatives of the local authorities and the higher and further education institutions about the other aspects of my proposals. The Government will bring forward a short Bill to allow the new regime to be introduced from autumn 1990.

These proposals represent an important step away from the dependency culture. Students will have a financial stake in their own future, and this will encourage greater economic awareness and self-reliance. The burden of student support on taxpayers and parents will be reduced. For the first time there will be a guaranteed extra source of income for students over and above their grants and parental contributions. By introducing top-up loans, we fulfil the undertaking we gave in our manifesto at the last election.

Mr. Jack Straw (Blackburn): This White Paper will reduce access to higher education, increase student and parental debt and deter many students from entering higher education. It proposes that knowledge be mortgaged in the future.

Is it not to the shame of the Secretary of State that this document contains no significant proposals for dealing with the real scandal—the numbers of young people who are forced out of education at 16-plus because of financial and other pressures? Is the Secretary of State aware, that when the grant system was reasonably funded in the 1960s and 1970s, there was a significant increase in access for lower income homes? Does he not know that the grant system gave many of us our only chance of higher education, and that he is now seeking to deny to others opportunities which even many Ministers had for themselves?

Is not the principal reason why working-class participation has levelled off in the 1980s the Government's appalling record of having cut student grants by 20 per cent. in real terms, increased the burden on parents and reduced the number of home students at university between 1980 and 1986?

The Secretary of State's hon. Friend, the Under-Secretary of State, told us last week that public expenditure constraints have been so severe that they

"must inevitably lead to the progressive degradation"

of our finest universities. I quote the hon. Gentleman's document.

Will the Secretary of State confirm that it is simply fraudulent to describe the loans as top-up loans? He is not topping up the grant system but pulling it down. Will he

[Mr. Jack Straw]

confirm that he aims to replace at least half the grant and parental contribution with a loan? Will he confirm that the suggestion he made in the statement that parents will pay less in real terms is wholly misleading? If the parental contribution scale is frozen, many parents will have to pay significantly more. How does imposing such high burdens of debt on students and their parents square with the Prime Minister's injunction that people must be taught to live within their means?

Will the Secretary of State give the House a categorical assurance that the loans will not be extended to vouchers and tuition fees, as proposed in the Jackson memorandum? Will not such loans hit women disproportionately hard? Why does the Secretary of State not have the guts to admit that, as the Jackson papers have already told us, in private the Government care nothing about increased access and that the whole policy has been driven by the Chancellor's obsession with cutting public spending? Was the Tory Reform Group not correct to say that a loan scheme would

"reduce . . . access to higher education . . . lower standards and . . . produce a new class of poor graduates"?

Is it not true that the Secretary of State has failed to provide better opportunities for people at 16-plus, at 18-plus and in adulthood and has failed to improve the nation's skills? Instead of moving towards the 21st century, the proposals take us back to the 19th century. The Secretary of State has betrayed the nation's future.

Mr. Baker: The hon. Member for Blackburn (Mr. Straw) will want to study the proposals in detail. In reply to the point that he made about saving Government expenditure, I draw his attention to the fact that the net cost of the scheme to the Treasury will be £850 million, so there will be an increase in Government expenditure. I refer the hon. Gentleman to annex E of the White Paper, which contains a table showing the amount of money that will build up for the rest of the century.

In defending the present system, the hon. Gentleman is defending the indefensible. He is defending a system that has actually restricted access to higher education. The previous Labour Government, which the hon. Gentleman supported, not only restricted access but cut access to higher education and cut the number of students. The hon. Gentleman is defending a system in which 35 per cent. of students do not receive the full parental contribution.

Page 15 of the White Paper deals with parental contribution. We propose that from 1990, the grant plus parental contribution should be frozen and all increases applied to the loan top-up facility. The contribution scale will be changed to ensure that parental contribution does not rise to take up the entire amount. The chart shows that. After the scheme has been introduced, parents will be paying a substantially reduced amount to support their own children in higher education.

The hon. Gentleman was dismissive about the scheme. I remind him of the comments being made in higher education circles. *The Times Higher Education Supplement* —no supporter of the Government—says:

"The grant or loan debate is virtually over. The case for loans now has an unstoppable momentum."

The hon. Gentleman said this afternoon, and to the papers this morning, that Ministers have benefited from the present system yet want to end the system from which they themselves have benefited. I had a means-tested award which I supplemented from my own savings. I had saved money during my period of national service. I also worked during the vacations. Many of my generation would have been very glad indeed to have the facility of a top-up loan on the terms that I have announced.

I remind the hon. Gentleman of the positive advantage of the system. It will provide a guaranteed extra source of income for students, over and above their present grants. It will reduce the burden on parents, who are already hard pressed. We are establishing three access funds and giving institutions the chance to tailor packages to attract more students.

The hon. Gentleman asked about the numbers staying on at 16. In three or four days' time, I shall be publishing more statistics showing that the number of children staying on at 16 has increased from 32 per cent. to 48 per cent., and that is the important point. The Government have increased the number of students in higher education by nearly 200,000 since we came to office. However, we cannot go much further by relying on the present system, and that is why we are committed to change.

The Labour party is committed to nothing in this matter. I consulted its manifesto this morning and it had nothing at all to say about students and student support. I challenge the hon. Member for Blackburn to tell us what his policy will be. He has been in charge of Labour's education policy for two years now and there is no such policy. Labour's education policy is a vacuum filled by Straw.

Mr. George Walden (Buckingham): I congratulate my right hon. Friend on the scheme, which is both sensitive and fair. Having said that, I should like to offer a little destructive criticism. At the centre of the debate is access. There are three aspects to access. The first aim is to get the mix of grants and loans right, and I think that my right hon. Friend has done that. The second and far more important aim is to improve the quality of schools, and my right hon. Friend is doing that. But there is a third aspect, to which I attach great importance, because the Government seem to want——

Hon. Members: What is the question?

Mr. Speaker: Order. I am aware that the hon. Member for Buckingham (Mr. Walden) has some interest in this matter. However, there is to be a debate and I would ask him now to come to his question.

Mr. Walden: What is the attitude of my right hon. Friend the Secretary of State to the third aspect of access? It seems that the Government wish to generate a new generation of media morons by their broadcasting policy. I do not understand how that fits in with what my right hon. Friend proposes for the good of access or with what he is doing for schools. That is far more important for the promotion of social fairness than the mere mechanics of loans or grants.

Mr. Baker: I thank my hon. Friend for the work that he did on the student review when he was Parliamentary Under-Secretary of State for Education and Science. I also thank him for his support for the scheme that I have announced and for the reforms that we have been introducing in the education system. On my hon. Friend's last point about media morons, I do not believe that the proposals of my right hon. Friend the Home Secretary for the reform of television will necessarily lead to falling

standards. There are various ways in which standards can be improved within those proposals, but that goes rather wider than the matters in my statement.

Mr. Simon Hughes (Southwark and Bermondsey): Will the Secretary of State not admit that his announcement reveals that the Thatcherite monetarist wolf has at last been admitted to the Department of Education and Science, and that the hidden agenda is now revealed? Will the Secretary of State tell us what he proposes to do about tuition fees—the other item for which students may be asked to pay in the coming months?

Is it true that students will no longer even be statistics for social security purposes and that they will not qualify—except for discretionary awards—no matter how low their income? Why did the Secretary of State say not one word about increasing access or about the fact that the proposal represents the biggest disincentive to students from poor and working families to go on to higher education that has been announced since the second world war?

Mr. Baker: I should perhaps have replied to the hon. Member for Blackburn on the question of tuition fees. I said at Question Time yesterday:

"There is a great debate on the funding of higher education, both here and overseas. There is also a growing desire among institutions for greater independence. The Government have no proposals for students in receipt of mandatory awards to contribute part of their tuition fees, but higher education institutions have a legal right to charge tuition fees, and to prevent them doing so would require legislation."—[*Official Report*, 8 November 1988; Vol. 140, c. 155.]

I have made it clear that I wish to see that debate mature and develop. It has nothing to do with the White Paper that I have put before the House.

With regard to access, the hon. Member for Southwark and Bermondsey (Mr. Hughes) must address the fact that other countries with schemes of grants and loans have very much higher records of access than we have. One of the features of our education system is that student support in the United Kingdom is uniquely high. At the 1984 prices given in the White Paper, it is £750 per student in the United Kingdom compared with £70 in West Germany, £180 in France and £30 in Japan. Yet in all those countries a higher proportion of children, especially from blue-collar families, go into higher education than is the case in this country.

Mr. James Pawsey (Rugby and Kenilworth): Is my right hon. Friend aware that his statement will be widely welcomed, especially by the 70 per cent. of parents who currently make a parental contribution? Will he confirm that the loan will be in addition to the grant prevailing at the time of its inception? With regard to the view expressed by the hon. Member for Blackburn (Mr. Straw) that children from blue-collar families will be dissuaded from taking up higher education, I do not take that view, but I should be pleased to hear my right hon. Friend's comments on that point.

Mr. Baker: I re-emphasise what I said to the hon. Member for Blackburn. We are reducing the burden on parents and taxpayers. Chart 8 on page 15 of the White Paper sets out the effect. Over time, the parental contributions will come down by nearly half. That will be a great help to many hard-pressed parents and their children.

I confirm that the loans will be in addition to the grants. I have already announced the increase in grant for 1989-90. There will be a further increase in 1990-91. That level will then be frozen and the loans will be on top of that.

On the very important question of access, I have already said that it is good news for this country that a higher proportion of children of 16-plus are staying on at school. That must be welcomed in all parts of the House. It is a very significant increase—up to 47 per cent. of the age band for 1988. That increase is good news and it has grown strongly in the past few years. In terms of access to higher education, socio-economic groups C2, D and E constitute 61 per cent. of the 18-year-old population in this country but supply only 21 per cent. of university entrants and 27 per cent. of polytechnic entrants. For the universities, that proportion has remained static since about 1970, so the present system, to which the Labour party is wedded, has not increased the proportion from blue-collar families. That is what we want to do and I believe that that is what we shall achieve.

Ms. Hilary Armstrong (Durham, North-West): I am disappointed with the White Paper. Is the Secretary of State increasing acess to education or merely to debt? If he were really interested in increasing access to education, he would have addressed the problem of mature women who are trying to get back into higher education and have to use the part-time and discretionary grant award scheme. Listening carefully to the right hon. Gentleman, it seems to me that no attention whatever has been paid to that aspect. For those women, the loss of all social security benefits and entitlements will be a major——

Mr. Speaker: Order. As I have said, there will be a debate on this. Will the hon. Lady please ask a question?

Ms. Armstrong: What real hope can the Secretary of State offer to mature women seeking to get back into higher education?

Mr. Baker: A growing number of mature students, both male and female, are now entering higher education. Many of them do not qualify for any sort of grant or, for one reason or another, for the various benefits of the social security system. I confirm that they will be eligible to participate in the loan scheme.

Dr. Keith Hampson (Leeds, North-West): Is it not true that despite the generosity of our grant system, the proportion of university entrants from the unskilled, manual worker category has steadily fallen? Does not the vast bulk of the higher education world know full well that no Government could indefinitely continue with the current system?

Although my hon. Friend's scheme is most welcome, will he take it further and abolish all parental contribution and make access to loans available to that critical group of part-time university and polytechnic students who currently receive no state help?

Mr. Baker: I am sure that some people will say that the scheme goes too far and others that it does not go far enough, so I probably have it about right.

I appreciate what my hon. Friend has said, but he is not quite right. There has not been a decline in the number of students from blue-collar families. As the White Paper shows, the number has risen slightly. The survey carried

[Mr. Baker]

out for the Robbins committee shows that 3·2 per cent. of 21-year-olds whose parents were in manual occupations had entered full-time higher education by 1962. The comparable figure for 1985 was 6·9 per cent. It is a disappointing rate of progress over the years and, in some of our universities, it has not moved at all. Any increase has been mainly in polytechnics.

Mr. Elliot Morley (Glanford and Scunthorpe): Does the Secretary of State accept that many caring parents will not want their children to begin life with crippling debts around their necks and, instead, will make up the contributions? Will he admit that he is merely passing contributions on to parents at a time of crippling mortgage rates and a crisis in the rented housing sector? Will not many people start life with a disadvantage because his scheme will deter those in the lowest income groups from entering higher education? When the right hon. Gentleman talks about dependency, does he mean cutting income for the poor and cutting taxes for the rich? Is that his idea of the dependency culture?

Mr. Baker: I do not believe that parents will rush in to make up the loans for their children because about one third of parents already do not take up the full parental contribution. The children of those parents will be the major beneficiaries of the loan scheme.

Mr. Julian Brazier (Canterbury): I congratulate my hon. Friend on his excellent statement. Is he aware that the nearest university to Europe—the university of Kent at Canterbury—is to have a seminar on this very subject next week? I shall regard it as a privilege to put the case for removing a proportion of the burden that currently rests on taxpayers—many of whom are poor people—and placing it on those of us who were privileged to enjoy university education.

Mr. Baker: I thank my hon. Friend for his support. The whole essence of the scheme is that the burden on the taxpayer and the parent will be reduced.

Mr. Roy Beggs (Antrim, East): Having been a teacher for 27 years, may I assure the right hon. Gentleman that young people stay at school after the age of 16 because they have no other choice? There are no jobs for them. May I lodge a protest about the scheme on behalf of the poor families in Northern Ireland, which has the highest unemployment rate in the United Kingdom? They cannot afford to support their able children so that they can benefit from education and escape from the poverty trap. Will the right hon. Gentleman take account of the special difficulties and needs of students in Northern Ireland?

Mr. Baker: The proposals that I have announced relate to the whole of the United Kingdom. Many students are prepared to make an investment in their future. When graduates leave college, in whatever part of the United Kingdom, they go into much better and higher paid jobs than do many others in our society. The average is very much higher. An analysis in the White Paper shows the return to an individual student from engaging in higher education to be about 25 per cent., which is a very high return. We are inviting students to make an investment in their future and I believe that many will do so, from whatever part of the United Kingdom they might come.

Sir Rhodes Boyson (Brent, North): Does my right hon. Friend agree that practically every other country in the free world has a loans system? Will he consider introducing a travel loan system so that Labour education spokesmen can visit Sweden, which is by no means a Conservative country and has an excellent loans system?

Mr. Baker: The Swedish system started out in the way that I am proposing today. In the 1960s the Swedish Government decided to freeze grants, as I propose today, and to introduce top-up loans. They let that system run on to the present system where only 10 per cent. of the expenditure is on grants and 90 per cent. on loans. They went too far and are now increasing the grant element back to 30 per cent. We are proposing that grant and loans together—*[Interruption.]* Let me answer one point at a time—will balance out at 50:50. Student support will be provided half by loans and half by grants and parental contribution. The default rate in Sweden is about 1 per cent.

Mr. Martin Flannery (Sheffield, Hillsborough): It is always interesting to hear the Secretary of State pretending that a draconian cut in education is progressive. Is it not a fact that the serried ranks behind him, due to the riches of mummy and daddy, are bound to—*[Interruption.]* That is the reality. Is it not a fact that our record on young people staying on in education after 16 compared with that of the great countries of the world is appalling? We are at the bottom by miles. Japan and the United States have twice——

Mr. Speaker: Order. Questions, please.

Mr. Baker: The hon. Gentleman talked about our position in relation to the great countries of the world. I remind him that in France the percentage of university entrants from blue collar groups rose from 23 per cent. in 1975 to 30 per cent. in 1980, although the cost of higher education in our country, where we have had no increase, is four times greater than the cost in France.

Mr. Malcolm Thornton (Crosby): As one who has expressed concern over the way in which the present system has failed to meet the needs of students, may I welcome the fact that the Government have grasped this nettle? Nevertheless, we are concerned about access and the effects that increasing debt may have on students. I was interested in my right hon. Friend's comments on the conversations that he will have with banks and institutions. We are bothered about the mechanics of the scheme. Can he tell the House how he expects these conversations to go and to what purpose?

Mr. Baker: The Government firmly believe that it would be better for the scheme to be operated by banks, building societies and other financial institutions than by some Government quango. I am now entering into discussions about that, but there are certain parameters to any scheme that I set out. The obligation to repay the loan should spend on the income of the graduate. That is to say that a student who has a low-paid job on graduation should have his obligation to repay the loan suspended until he reaches a certain pay level. That part of the paper is rather green and there are various suggested alternatives. That is particularly important for women graduates who get married and have no source of income.

Dame Elaine Kellett-Bowman (Lancaster): Hear, hear.

Mr. Baker: I am grateful to my hon. Friend for her support.

Secondly, the loan will be written off and cancelled either 25 years after it has been incurred or if the person has reached 50. Naturally there will be no recovery of loan should a graduate die. [HON. MEMBERS: "Oh."] We shall cancel it out. Thirdly, the obligation to repay the loan will not start until the April after the student has finished the course, which will probably be the previous June.

Mr. David Blunkett (Sheffield, Brightside): Is the Secretary of State saying that longevity or the ability to string out repayment will be an advantage in not repaying the loan? Is he telling the House that taxpayers would rather subsidise financial institutions through lower interest rates than invest directly in the future of both young people and this country? Far from a culture of access, this is a culture of Visa and American Express.

Mr. Baker: It is the student who will be subsidised in that the student will not have to pay the going commercial rate for the loan, which students must pay on their overdrafts at present. Surely the hon. Gentleman would agree with that. It is part and parcel of the scheme. I should add that if there has been a deliberate attempt to string out a loan or to default, it will not be cancelled when the person reaches 50. We thought that that proposal would make the scheme slightly more attractive.

Sir Peter Hordern (Horsham): Can my right hon. Friend say whether the repayment of the loans will be less at the beginning and greater towards the end? Will he confirm that the net cost of the scheme to the Government will be greater than the present one?

Mr. Baker: I have already made it clear that the scheme will involve considerable cost in the initial years. My hon. Friend asked about the length of repayment. On page 16 of the White Paper we set out a provisional scheme for how repayment builds up. We envisage that for £1,396 over three years there will be a repayment of about £300 a year for about five years. It is possible that repayment of larger debts will take longer than five years. We do not rule out the possibility of offering a discount for prompt payment, as offered under the German scheme. That is part of the discussions that we shall have with the banks.

Mrs. Rosie Barnes (Greenwich): Does the Secretary of State agree that in order to increase the uptake of higher education, particularly among lower income students, the staying-on rate at 16 must be markedly increased? Will he consider introducing a means-tested benefit for 16 to 19-year-olds to encourage children from lower income families to stay on at school rather than leave to supplement their own and their family's income?

Mr. Baker: That proposal was put forward by the hon. Lady's party at the general election, and in the past the Labour party has toyed with a payment at 16. First, it is expensive. Unmeans-tested, it would cost £700 million to £800 million; means-tested, it would be less. Secondly, the idea of means-testing boys and girls at school, with some receiving payment and others not, is unattractive.

The real argument against the hon. Lady's case is that we are already getting more young people staying on at 16. The rise to 48 per cent. of that age band is encouraging and is happening now.

Mr. Harry Greenway (Ealing, North): Will my right hon. Friend confirm that his commitment to equality of opportunity of access for all to higher education is underlined by the fact that there is no tuition fees element in this package? Will he ensure that there is none in future? Can he confirm that the average student in higher education today borrows about £340, so we already have loans on that basis? Can we look for some considerable improvement in the student grant in 1990 when this new scheme is introduced?

Mr. Baker: We published a profile of student expenditure in the White Paper and I recall that that is at present about the average level of a student overdraft.

My hon. Friend asked about access. I remind him that many years ago, in his famous report, Robbins stated that when many parents were only just beginning to acquire the habit of contemplating higher education for such of their children, especially girls, as were capable of benefiting by it, it was probable that a system of loan would have an undesirable disincentive effect. But that if as time went on the habit became more firmly established, the arguments of justice and distribution and of the advantage of encouraging individual responsibilty might come to weigh more heavily and lead to some experiment in that direction.

Mr. Dafydd Wigley (Caernarfon): Does the Secretary of State accept that in areas of high unemployment and low income—where no holiday jobs are available and where there may be a cultural reluctance to take on loans—as a result of today's statement students who have the ability to go on to higher education will not do so? How does that encourage the development of education?

Mr. Baker: I draw the hon. Gentleman's attention to the blue pages at the back of the White Paper, where there is an analysis of the reluctance of various socio-economic groups to take on loans. I remind the hon. Gentleman that various groups of students who do not benefit from grants will do so from the loan. At present, 50,000 students at universities or polytechnics doing mainly professional courses of one sort or another do not qualify for a grant, but they will for the loan. Students who do not qualify for awards of any sort will benefit from the loan. Students whose awards are abated and whose parents do not make up the full amount will benefit from the loan. I draw the hon. Gentleman's attention to the three access funds that I am establishing. I am giving money to universities, polytechnics and colleges so that they can devise various access courses and packages, scholarships and bursaries of their own.

Mr. David Curry (Skipton and Ripon): Is not one of the principal differences between our system of higher education and that of the continent the fact that many students on the continent attend local universities, live at home and are maintained by their parents? Is that one of the reasons why there is greater access of blue collar workers on the continent? As our present system has failed in that regard, is it not good sense to change it?

Mr. Baker: I do not think that that change will be implicit in the scheme. The pattern here may change over the years, but I confirm that on the continent there is a greater pattern of students studying at their local

[Mr. Baker]

universities. Students here shop around the country, which substantially adds to the expense of our higher education system.

Mr. Win Griffiths (Bridgend): Will the Secretary of State confirm that one of the major reasons for the failure to open access to unskilled children is the way in which the grant has been cut since the end of the 1960s? Will he look at the access figures for unskilled children for 1955, 1965, 1975 and 1985 and note what has happened as the value of the grant has decreased? How much in real terms will the grant be worth to each student in 2027—the last year for which we have figures in the White Paper—compared with its value in 1962, when I began my university career?

Mr. Baker: I should need some notice to give figures for the period between 1962 and 2027. I shall endeavour to extract them for the hon. Gentleman and write to him. The hon. Gentleman asked me to make various comparisons between the years and I shall do so, but I am sure that the pattern will show that access has remained static. I remind him that under the present system we spend more on student support from public funds than comparable countries. We spend more per student, more as a proportion of higher education current expenditure, more as a proportion of total current expenditure for education and more as a proportion of gross national product. We are spending much more than other countries through a combination of grants and loans, which attract more people into higher education.

Dame E. Kellett-Bowman: Will my right hon. Friend accept that I am delighted that he has so carefully safeguarded the position of women who marry, have children and therefore do not repay the loan until they are in receipt of a reasonable income? Does my right hon. Friend agree that the participation rate of manual and blue collar workers would be infinitely higher if the Labour party had not destroyed grammar schools, from which many members of the Shadow Cabinet benefited before entering university?

Mr. Baker: My hon. Friend broadens the argument rather considerably. I do not want to go back into history as I prefer to talk about the future. I am sure that the various changes we are putting in hand through the Education Reform Act 1988 will substantially improve the quality of education in the future.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am bound to have regard to the other business on the Order Paper. We shall be dealing with Lords amendments to two important Bills and the House need only look at the selection list to appreciate how much work we have to do. I shall allow questions to continue for another 15 minutes, but I ask hon. Members to keep their questions as brief as possible so that brief answers may be given.

Mr. Tam Dalyell (Linlithgow): What assessment has been made of the effects of this scheme on teacher recruitment? As the vice-chancellors are extremely concerned about the quality of teacher recruitment, may we have the names of the vice-chancellors who support the scheme?

Mr. Baker: As far as I know, no vice-chancellor has seen the scheme because it has been prepared and made available to the House today. What the hon. Gentleman might be referring to are the views that have been advanced by various vice-chancellors in the continuing debate on the funding of higher education institutions. We are reviewing teacher recruitment. Clearly it is one of my responsibilities to ensure a good flow of teachers over the coming decade for the introduction of the national curriculum. We shall bring forward proposals to deal with that.

Mr. David Madel (Bedfordshire, South-West): Do the changes in student support mean that the Government think that there should be a change in the length of university terms and degree courses? If that happened, it would have an impact on student finances.

Mr. Baker: That is a separate matter. It is interesting that higher education institutions are more flexible about the nature of a degree course. The traditional degree course of three years for one subject has given way in many universities to combined subjects. I visited a university last week that is combining with its local polytechnic to have a master of science course over four years. That is an interesting development whereby students can cross from polytechnic to university on a combined course. I want to encourage such an experiment, not chill it off. There is nothing implicit in the scheme about the length of degree courses.

Mr. Harry Ewing (Falkirk, East): I have known the Secretary of State for 18 years. Is he aware that it is pathetic to listen to him introducing such extreme Right-wing ideas on higher education? The Secretary of State mentioned loans, but does he understand that many students who will need the loan will not ask for it because they will know full well that they will be unable to repay it? However the Secretary of State dresses up this scheme, it is a deliberate attempt to exclude from university education youngsters in lower socio-economic groups. When three years ago at the Tory party conference the right hon. Member for Old Bexley and Sidcup (Mr. Heath) said that the Tory party was determined to write off the education prospects of generations of youngsters, he could never have dreamt for a minute that his former parliamentary private secretary would introduce such a scheme.

Mr. Baker: I am astonished to hear these proposals described as extreme Right-wing ideas. Does the hon. Gentleman appreciate that Socialist Sweden did this in the 1960s? Does he appreciate that the Labour Government of Australia are going much further than this scheme and are introducing a tax on students for their tuition fees? Does he realise that the Labour Government of New Zealand are proposing a tax on students? Many people will say that my scheme is rather modest compared to those proposals.

Mr. Anthony Coombs (Wyre Forest): I welcome this reform of the system—despite expenditure five times greater than the European average, it has failed with regard to blue collar access—but does the Secretary of State agree that it will not only improve access but give students more investment in their education, from which they will benefit financially in the future, and will lead to

a more flexible form of funding for continuous higher education throughout life, which will become more important in the future?

Mr. Baker: The flexibility point is important. We are leaving it to the institutions, universities and polytechnics to decide how they should operate their access funds. That will introduce a degree of flexibility. I hope that many imaginative ideas will come forward from them on tailored packages of support for particular types of courses and particular students. I am sure that that will lead to more of our young people going into our colleges, polytechnics and universities.

Mr. George Galloway (Glasgow, Hillhead): It would appear that, even in the damper regions of the Department of Education and Science, the barbarians are through the gates. This is a Government who know the price of everything and the value of nothing. Is the Secretary of State aware that there are already student loans, and they are called bank overdrafts? Hundreds of student constituents of mine are up to their ears in debt. The right hon. Gentleman mentioned the Robbins principle. Is he happy that he will go down in history as having replaced the Robbins principle with the begging bowl Baker principle of higher education?

Mr. Baker: I quoted from Robbins, who clearly foresaw the introduction of a loan. The hon. Gentleman attacks our proposals. What is the Labour party's policy?

Mrs. Maureen Hicks (Wolverhampton, North-East): Is it not fair to say that the opportunity of top-up loans will further enhance the opportunities for students by making them more responsible for their actions, more appreciative of the opportunity to go to university or college and, most of all, more selective in their choice of course so that it can match the job market when they come out of college or university?

Mr. Baker: I could not have put it better myself. I agree with my hon. Friend.

Mr. Frank Dobson (Holborn and St. Pancras): The hon. Lady means that only the rich will have a choice.

Mr. Baker: Not at all. The hon. Gentleman was not in the Chamber when I made my statement and answered most of the questions, so I ask him to read the White Paper.

My hon. Friend the Member for Wolverhampton, North-East (Mrs. Hicks) said that we are inviting students to make a financial investment in their future. It is right to do that, because those students will move into substantially higher paid jobs. With greater responsibility, they can much better decide the kind of courses they want to undertake. We want to ensure that the system is sufficiently flexible for them to have a wider choice.

Mr. Terry Fields (Liverpool, Broadgreen): Would it not have been more honest for the Secretary of State to say, "The message for working class families and youth is that there is no future in our system. We do not need an educated working class, so we are putting barriers on access to higher education for working people"? Will the right hon. Gentleman take it from me that youth and students will fight him, and other Labour Members and I will join them to defeat this class-based legislation?

Mr. Baker: I am sure that there is no meaningless barricade that is not filled by the hon. Gentleman. I ask him to compare the recruitment figures for the Liverpool polytechnic and the Liverpool university under the Conservatives with the recruitment figures under Labour.

Mr. Tim Janman (Thurrock): My right hon. Friend is to be congratulated on bringing forward these long overdue proposals. Does he agree that the current cost of the many thousands of students who take out overdraft facilities because their parents do not make up the contribution is far higher than the zero real interest rate which my right hon. Friend has announced in what essentially amounts to a formalisation of the current system? Does my right hon. Friend agree that his announcement will increase access? Can he quantify that increase in access? Finally——

Mr. Speaker: Not "finally". In fairness to other hon. Members, three questions are enough.

Mr. Baker: As I have said, since 1979 there has been a substantial increase of nearly 200,000 students. We have set ourselves a target of increasing, in the lifetime of this Parliament, by 50,000 the number of higher education students. I think that we are likely to reach that target this year, two years before the next election. [HON. MEMBERS: "Oh."] Is that not good news? Is not the Labour party glad to know that there will be 50,000 more students in higher education and there are still two more glorious years to run, perhaps three—I am not announcing the date of the election.

I thank my hon. Friend the Member for Thurrock (Mr. Janman) for his support. My proposal will certainly lead to more access. We have set ourselves high targets, and we shall reach them.

Mr. Keith Vaz (Leicester, East): The Secretary of State will recall that he recently visited Leicester university. He will remember that for two reasons: first, he was hit by a very large pot of yogurt—which I deplore, because it was a waste of yogurt—and, secondly, he had a meeting with the president of the students union in Leicester, who spoke about the fact that students at Leicester university were suffering from the low grants. Given the Government's obsession with polling and market research, can the right hon. Gentleman point to a single piece of research that will show hon. Members the likely outcome of these proposals on access to further education? How many student organisations did the right hon. Gentleman consult before he wrote these proposals?

Mr. Baker: I was delighted to meet the hon. Gentleman in Leicester, but I am sorry that he was not walking with me shoulder and shoulder through his supporters.

I have answered several times the point about access. I confidently expect that the numbers in higher education, in polytechnics and universities will increase because of our proposals. The numbers have increased consistently over the past few years and will continue to increase. We are providing a possibility of greater resources for the great bulk of students.

Mr. Spencer Batiste (Elmet): I welcome my right hon. Friend's announcement generally which will leave the overwhelming majority of students far better off. I particularly welcome the proposal for access funds which will be set up to provide for the hard cases which are

[Mr. Spencer Batiste]

inevitable. My right hon. Friend said that these funds would be administered by the higher education institutions. Within what criteria established by my right hon. Friend will those institutions administer those funds?

Mr. Baker: I want to give only the broadest guidance because I want to leave as much discretion as possible in the institutions' hands. It is a novel feature of our proposals that we regularly provide the universities and institutions with funds of their own, whereby they can provide their own scholarships and bursaries and tailor-make certain proposals for particular types of courses for particular students. Universities used to do that in the past to some extent and some universities around the world do it. Under the American system, where there is much more access throughout the social classes, it is common for universities and colleges to have quite large funds of this sort so that they can tailor particular proposals for particular students. It is for individual students to approach individual universities and polytechnics and come forward with their own proposals. I am sure that eventually Labour Front-Bench Members will support that.

Mr. D. N. Campbell-Savours (Workington): Is not the reason why well-heeled Conservatives want these changes the fact that many of them are making maximum contributions, and they want to save money? That is what Tories have told me. Is it not true that, under the Government's scheme, Tories will have an excuse for saying to their kids, "Take out a loan and fund your education, because I shall not pay for you any more"? This is the real reason behind the proposals: the Conservatives do not want to dig into their pockets.

Mr. Baker: That is an extraordinary proposition. The hon. Gentleman has supported a Government whose actions led to parents digging into their own pockets. The grant was means-tested under Labour and it is means-tested now. This means that a third of parents do not dig into their pockets and make a full parental contribution. As my hon. Friend the Member for Thurrock (Mr. Janman) rightly said, this loan facility means that young people will be able to make up the amount which is not made up by their parents.

Mr. John Marshall (Hendon, South): Does my right hon. Friend accept that his statement will be warmly welcomed, especially by those on non-mandatory courses? Will he therefore ignore the brickbats made of straw? Does he recognise that most people realise that access to higher education greatly increases a person's earning capacity and that most people would be pleased to be offered a loan at a nil rate of interest?

Mr. Baker: I am sure of that and I am sure that there will be a substantial take-up of the loan. I completely agree with my hon. Friend's earlier comments. The loan will be taken up. Many people will realise that they are making a good investment in their future. I confirm that graduates' earnings are much higher than average earnings.

Mr. Roy Hughes (Newport, East): Does the Secretary of State appreciate that he is defenceless against the accusation that these proposals are highly detrimental to the interests of the children of working-class families? Does he also appreciate that even Korea, in percentage terms, trains more of its youngsters than we do? When will the Secretary of State and his Government recognise that if we are to build a successful economy we need to train all our bright youngsters, irrespective of social considerations?

Mr. Baker: I agree with the hon. Gentleman, but he has to address the question why we have such a substantially expensive system of student support that is not achieving the objectives that he wants. Countries that have much less expensive systems of student support have a very much higher proportion of students in higher education. Only 10 per cent. of that age group in the United Kingdom study for degrees, compared with 20 per cent. in France, 15 per cent. in West Germany and 25 per cent. in Japan. All those countries have some system of grants and loans.

Mr. Nicholas Bennett (Pembroke): My right hon. Friend knows that there is much greater access to higher education in the United States and that many students work their way through college. Will he put into perspective the proposed loans? Almost the first thing that most students do when they graduate in this country and get a job is to go to their bank manager for a loan to buy a car.

Mr. Baker: I am sure that that happens. My hon. Friend's comparison with America is interesting. There is a very much higher level of borrowing at all levels of access in America. It has led to many more young people in America going to college; that is one of the successes of the American system. I want many more of our young people to go to college, and I am quite sure that that will be the result of the proposals that I have announced.

Mr. Andrew F. Bennett (Denton and Reddish): I can see no mention in the White Paper of the number of additional students that the Secretary of State thinks will gain access to higher education. Can he tell the House how many students he thinks there will be as a result of his proposals?

Will the right hon. Gentleman also confirm that he is taking away the right of students to claim housing benefit, unemployment benefit and income support? Will he admit that for very many students that means that they will be £275 worse off and that the loan will only just about cover their benefits? Is he not setting up a special student social fund under which students will have to repay benefits rather than receive them? Will the Secretary of State also confirm that, while better-off parents will contribute rather less, those on lower incomes will progressively have to make a greater contribution to student grants?

In the Government's plastic society, far from students getting their flexible friend, the Baker card will be a visa to 25 years of debt. It will certainly not be a passport to greater access.

Mr. Baker: The hon. Gentleman's final remarks were a trifle strained and a trifle contrived. As for his important questions about disentitlement to benefit, our estimate is that in 1991 the average, spread over all students, that they will claim in benefits will be about £150. However, we estimate that about 50 per cent. of students will not claim. For those students who do claim, our estimate is that the figure comes out at just below £300. The figure that we are recommending for the first year is an additional loan

facility of £420. For the second year, it will be £504. They will have greater access to an even larger amount of money.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall not take points of order now; I am on my feet. May I say to those hon. Members whom I have not called that I hope that there will be an opportunity to debate this matter—possibly during the debate on the Loyal Address—when I shall give them precedence.

Earth Tremors (Stoke-on-Trent)

4.33 pm

Ms. Joan Walley (Stoke-on-Trent, North): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the need for a full and thorough investigation into recent earth tremors in the north part of the city of Stoke-on-Trent."

This week's earth tremor affected people living in Smallthorne, Bradeley, High lane, Mill Hill and Chell. It measured a magnitude of 1·9 on the Richter scale and is the third tremor—*[Interruption.]*

Mr. Speaker: Order.

Ms. Walley: Thank you, Mr. Speaker. This may not be an earth-shattering matter for hon. Members, but it is certainly a matter of great concern to people in my constituency.

It is the third tremor in this small area in the last 12 months and it is the second in less than three weeks. Everybody who is affected is quite right to be distressed and concerned about the potential damage to their properties, and even more so when it appears that a pattern of earth tremors is now emerging.

We should be given every assistance to make sure that the area is being properly monitored and that the necessary national resources and equipment are on hand to enable the city of Stoke-on-Trent, the university of Keele's geography department and local residents to understand the extent of the problem and to establish whether there is a link between the current series of earth tremors and the abandonment of deep pit mining and changed Coal Board practices in that area.

The British Geological Survey is currently unable to provide Stoke-on-Trent with the detailed kind of monitoring that is required. I understand that the university of Keele has not yet received funding from the University Grants Committee to deploy seismic stations in the north part of Stoke-on-Trent.

Given the long history of earth tremors in this area, the lack of adequate monitoring equipment, which once was available in Stoke-on-Trent and has now been taken away, and the genuine concern and distress felt by people who are affected, detailed monitoring and analysis is urgently needed. Therefore I beg to ask leave to move the Adjournment of the House in order that we can have a full debate to make sure that these issues are immediately addressed.

Mr. Speaker: The hon. Member for Stoke-on-Trent, North (Ms. Walley) asks leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that she believes should have urgent consideration, namely,

"the need for a full and thorough investigation into recent earth tremors in the north part of the city of Stoke-on-Trent."

I have listened with care and concern to what the hon. Lady has said, but I do not consider that the matter she has raised is appropriate for discussion under Standing Order No. 20. I hope, however, that she will have other opportunities to bring the matter before the House.

Football Clubs (Membership Scheme)

4.36 pm

Mr. Denis Howell (Birmingham, Small Heath): On a point of order, Mr. Speaker, referring to the behaviour of the Minister for Sport. He has treated this House with contemptuous disregard, both for its rights and its purposes, for the third time is succession, in making, or seeking to make, statements of great importance outside this House. He held a press conference at 3.30 pm when he should have been making an oral statement to the House on the subject of his football membership scheme.

Matters of considerable substance are involved in the Minister's statement. For example, it contains a completely unprecedented constitutional point. According to the scheme, the Minister for Sport proposes to insist that Scottish football supporters attending matches at Wembley or elsewhere in England should be required to register with an English or Welsh football club. That is an unparalleled proposal, it insults all Scottish football supporters and it will be completely impracticable.

The proposal also requires information about convicted persons to be supplied by the courts, fed into computers and used at football matches. You will know Mr. Speaker, that under British law it is unlawful for the courts or the police to provide information about convictions. That makes the Minister's proposals ludicrous in the extreme.

The proposals will also infringe civil liberties. The report contains nine objections from the football authorities. In those circumstances, I submit that the Minister should be required to make a statement to the House.

Mr. Speaker: If hon. Members look at the Order Paper, they will see what business is before us. I see no hope of any time being available for a statement to be made except perhaps very late tomorrow morning. Whether a Minister makes a statement to the House about any subject is not a matter for me. I know that hon. Members often feel annoyed that certain information is imparted by way of written answer rather than by oral statement, but statements eat into the time allotted to the main business of the day; and the Government must take responsibility for deciding how many there should be.

Mr. Brian Wilson (Cunninghame, North): On a point of order, Mr. Speaker. I have a constitutional question. There has been absolutely no consultation in Scotland or any suggestion that this document has anything to do with Scotland——

Mr. Speaker: Order. I have already ruled that this is not a matter for me.

Mr. John Carlisle (Luton, North): On a point of order, Mr. Speaker.

Mr. Speaker: As long as it is not on this matter.

Mr. Carlisle: My point of order concerns the courtesies of the House. The right hon. Member for Birmingham, Sparkbrook spoke about the courtesies of the House and the Minister making a statement. I seek your guidance in regard to hon. Members obtaining a document by deceit, and going to sporting conferences. The right hon. Member——

Mr. Speaker: Order. What documents hon. Members get hold of is not a matter of order in the Chamber. I have already ruled that whether a statement is made is not a matter for me. The hon. Member for Luton, North (Mr. Carlisle) has been here a good length of time. He must not disobey the Chair. I cannot take further points of order on this matter.

Mr. Carlisle: My point of order is not to do with the statement. It concerns whether it is in order for Privy Councillors to have documents such as this while they are embargoed and to publish and talk about them before the House has had an opportunity to hear what they are about. That is what the right hon. Member for Sparkbrook did today. He discussed and criticised this excellent document before it was announced in the House. Is it right that the House should not be given an opportunity to discuss the document first? Is it not a discourtesy to the House that the document has been taken and discussed before the Minister has had an opportunity even to answer the question on the Order Paper?

Mr. Speaker: Whether hon. Members get documents and how they get them is not a matter of order in the Chamber. I repeat that this is not a matter for me.

Mr. Frank Dobson (Holborn and St. Pancras): On a point of order, Mr. Speaker. It was quite clear to every hon. Member that the hon. Member for Luton, North (Mr. Carlisle) said that my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) obtained the report by deceit. I do not know whether that makes the Minister a liar as it was the Minister who supplied my right hon. Friend with the copy that he has with him. We would like you, Mr. Speaker, to ask the hon. Member for Luton, North to withdraw that remark.

Mr. Speaker: The hon. Member for Luton, North, who I think cheated on his point of order, used the word "deceit". I thought that he was referring to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). Will he please withdraw the allegation?

Mr. John Carlisle: I consider it deceitful, but——

Hon. Members: Withdraw.

Mr. Speaker: Order. Please withdraw the allegation.

Mr. Carlisle: The right hon. Member for Sparkbrook has expressed——

Mr. Speaker: Order. I give the hon. Member one chance to withdraw the allegation.

Mr. Carlisle: I withdraw the allegation of deceit.

Associated British Ports (No. 2) Bill

4.43 pm

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. This is an entirely different matter and I do not think that it will raise hackles as much as the previous one. It is about what happened last night at about 9.50 pm. Madam Deputy Speaker took your place in the Chair. There was a likelihood of a closure motion, but it never materialised. The Ayes were called because nobody else stood up and there was no call. That appears in column 261 of *Hansard* for last night. Madam Deputy Speaker, as Seond Deputy Chairman said:

"As many as are of that opinion say Aye."

There was no answer. She continued,

"To the contrary No."

At column 262, *Hansard* records:

"**Hon. Members:** No.

Madam Deputy Speaker: I think that the Noes have it."

At that point, we had defeated the Associated British Ports (No. 2) Bill. The Tories realised that they had made a grave error. They had not shouted, but then they decided to shout, "Aye." which is recorded in *Hansard* accordingly. They were too late. *Hansard* continues:

"**Madam Deputy Speaker:** Clear the Lobbies."—[*Official Report*, 8 November 1988; vol. 140, c. 261-2.]

Since I have been a Member of Parliament, Governments of both parties have made mistakes, but on each occasion, as with the Felixstowe Dock and Railway Bill some time ago, if a mistake was made, the thing had to stand. In those circumstances, the Associated British Ports (No. 2) Bill would have had to start from scratch in the next Parliament, not halfway through its proceedings, as at present.

The Clerks told me last night that they were a bit unsure themselves, so I went to hear the tapes. They are quite clear. Before you make a decision, Mr. Speaker, I invite you to hear them. They are much clearer than I expected, bearing in mind the noise that can occur when a Division is being called for. There is not a single whisper of an Aye, but there are distinct Noes. We can all get copies of the tapes nowadays.

The Associated British Ports (No. 2) Bill is important, and it was strongly contested by Opposition Members. We even had one or two Conservative Members support us in the Lobby. We cannot be messing about with procedures in the House when a Division is called and the Government make a mistake, or those who are promoting a Bill make a mistake. There is a question about who should have done the shouting, but the plain fact is that they did not deliver the voices. I am therefore asking you to listen to the tapes, Mr. Speaker. I think that you will find that *Hansard* has recorded it absolutely accurately. I believe that, in accordance with previous procedure, the Bill's progress should be halted and that if it is to go further, it should have to start again in the next Parliament.

Mr. Martin Redmond (Don Valley): Further to the point of order, Mr. Speaker.

Mr. Speaker: Briefly, please. I think that it has all been said.

Mr. Redmond: With respect, Mr. Speaker, I request your understanding, tolerance and guidance, because I am a relatively new Member and I am unsure of our procedures. I am in no way criticising Madam Deputy Speaker for her error. We are all human and can honestly make mistakes. The rules of the House, however, are clearly laid down. If Conservative Members failed to follow the House's procedures correctly, the House's decision must still stand. Although Madam Deputy Speaker made a mistake, it is incumbent on you to consider what has been said and to rule that the Opposition were correct and that the Bill fell.

Mr. Speaker: I always look at *Hansard*, particularly when I have not been in the Chair. I have looked at *Hansard* to see what went on last night. I see that a point of order on this very matter was raised at the time by the Shadow Leader of the House and that the Deputy Speaker dealt with it. Thereafter, no further complaints were raised on the matter. If there was any concern about the matter, it should certainly have been raised last night, not now.

Several Hon. Members *rose*——

Mr. Speaker: Order. We cannot back-deal. There was an opportunity to deal with the matter last night. We cannot back-deal on a matter which the House has already resolved.

Mr. Frank Dobson (Holborn and St. Pancras): On a point of order, Mr. Speaker. This seems quite extraordinary to me. We raised a point of order at the time. We registered our concern and suggested that if the tapes were consulted they would show that what my hon. Friend the Member for Bolsover (Mr. Skinner) has said is correct. I do this in no spirit of criticism of the Deputy Speaker, but this seems extraordinary to us. We raised the issue and raised the question of the tapes. They could not be heard immediately after the Division or while it was going on. Hon. Members have listened to the tapes and think that it would be right and proper for you to listen to them as well, as they bear out what my hon. Friend the Member for Bolsover has asserted.

Mr. Speaker: The tapes are not the official record. I have regard to what appears in *Hansard*. I have no authority to overrule any decision which has been taken by the occupant of the Chair, and I do not propose to do so.

Mr. Bob Cryer (Bradford, South): Further to that point of order, Mr. Speaker.

Mr. Speaker: I have no power to overrule an earlier decision.

Mr. Cryer: You seem to be implying, Mr. Speaker, that there must be a range of points of order to give testimony and strength to what we are saying. Since the Division took place last night, this is the first time that you have been in the Chair and the first opportunity that we have had to raise points of order. The point was made clearly last night and we thought that it had been registered. This is the first moment that we have been in a position to raise the matter again because it is the first opportunity that we have to refer you to the record in *Hansard*. Like you, Mr. Speaker, we recognise that the House depends on *Hansard*. If a mistake has been made and that fact is demonstrated in *Hansard*, there must be some facility for rectifying the mistake and the decision that was taken by the House.

Mr. Speaker: I have no power to order that. The matter should have been pursued last night—[HON. MEMBERS: "It was."]—with the occupant of the Chair. It was so raised and it was dealt with. I have no power to overrule that.

Mr. Nicholas Bennett (Pembroke): On a point of order, Mr. Speaker. Will you confirm that, after Madam Deputy Speaker said

"I think that the Noes have it",

there appears the following line:

"Hon. Members: Aye.—[*Official Report*, 8 November 1988; Vol. 140, c. 262.]

Surely that solves the problem.

Mr. Speaker: I have read *Hansard*, and I see nothing out of order on this issue. Ten-minute Bill——

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker.

Mr. Speaker: Mr. Cohen. Ten-minute Bill. Mr. Harry Cohen.

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Speaker: The hon. Gentleman cannot raise a point of order on the issue with which I have dealt. I have dealt with it.

Mr. Campbell-Savours: On a point of order, Mr. Speaker. My point of order relates to what has been printed in yesterday's *Hansard*.

Mr. Speaker: I have dealt with that. Ten-minute Bill.

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Speaker: Ten-minute Bill. Mr. Harry Cohen.

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Cryer: It is an extremely important issue.

Mr. Speaker: It may be, but there is no precedent. It would be a precedent if I ruled on something which the Deputy Speaker did last night. Ten-minute Bill. Mr. Harry Cohen.

Mr. Redmond: On a point of order, Mr. Speaker.

Mr. Campbell-Savours: We must not let him get away with it.

Mr. Speaker: Order. Who must not let him get away with it?

Mr. Skinner: It is here in *Hansard*.

Mr. Speaker: I have read yesterday's edition of *Hansard*.

Mr. Campbell-Savours *rose*——

Mr. Speaker: I shall hear what the hon. Member for Workington has to say, and that will be it.

Mr. Campbell-Savours: If you read what the Deputy Speaker said, Mr. Speaker, you will find that she did not reply to the point of order which was raised by my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). She said:

"Order. If I am to be heard, I ask hon. Members to listen."

—[*Official Report*, 8 November 1988; Vol. 140. c. 262.]

I put it to you, Mr. Speaker, that the point of order has not been responded to by the Chair. I believe that we have a right to a full and considered response from you, Mr. Speaker. If that cannot be done today, perhaps you will be able to respond tomorrow.

Mr. Speaker: I understand that the Deputy Speaker put the Question again and collected the voices. That is what *Hansard* clearly shows. [HON. MEMBERS: "No."] Well, it does not show that she collected the voices again. Ten-minute Bill. Mr. Harry Cohen.

Mr. Dobson: On a point of order, Mr. Speaker. The rules of the House are fairly clear, and they are intended to protect hon. Members on both sides of the House. You, Mr. Speaker, and the other occupants of the Chair do your level best to ensure that they provide that protection. Yesterday, it was clear that there was discontent about the nature of private Member's Bills and the way in which they pass through the House with Government support. There was high feeling on both sides of the House.

Whatever there was in terms of feeling, however, there were no voices to be heard at the appropriate time. I have no wish to criticise Madam Deputy Speaker, but we think that she got it wrong. If the matter is left as it stands, it will set a precedent for it will mean that the voices no longer matter. In future, there may be some instances where the Opposition would welcome the fact that voices did not matter, but the Government might not like that. We would like a ruling from you, Mr. Speaker, on whether the voices will continue to matter.

Mr. Speaker: Certainly the voices matter. My ruling is a simple one and the House has heard it. I have no power or authority to overrule the decision of the occupant of the Chair at the time.

Mr. Campbell-Savours: There is no ruling.

Mr. Speaker: I have no power to reverse what happened yesterday.

Mr. Campbell-Savours *rose*——

Mr. Speaker: The voices were collected and the Division took place. Mr. Harry Cohen—ten-minute Bill.

Mr. Frank Cook (Stockport, North): On a new point of order, Mr. Speaker.

Mr. Speaker: Oh, God! Yes. What is it?

Mr. Tony Banks (Newham, North-West): No, Mr. Speaker—Frank Cook actually.

Mr. Speaker: It was intended to be a compliment.

Mr. Cook: I apologise, Mr. Speaker, for not responding immediately when you agreed to hear my point of order. I was struck dumb by my sudden promotion.

I seek your guidance, Mr. Speaker. You will know, Mr. Speaker, that I am a recent appointee to the Select Committee on Procedure. If I cannot understand what is happening, Mr. Speaker, there may be other members of the Select Committee who find that they are in similar difficulties. Perhaps I should recount my experience of sitting on the far end of the Opposition Front Bench as a Whip. When I did not say No loud enough when voices were being collected, Mr. Deputy Speaker said that the call was not loud enough, that that was hard luck and that we

had lost the Division. The collection of voices is important. That has been the position in the past and it continues to be the position.

The issue is, when are procedures total and finite and when are they to be ignored? We have already heard, Mr. Speaker, that there was no ruling and that the House merely went on with the Division. If we do not have a ruling and if no guidance is given, I shall be lost. I shall be unable to fulfil my functions and carry out my responsibilities as a member of the Select Committee on Procedure.

Mr. Speaker: I think that we should get on with today's business—[HON. MEMBERS: "No."] If the House feels strongly about the matter, hon. Members should ask the Select Committee on Procedure to give Mr. Speaker authority to overrule other occupants of the Chair——

Mr. Campbell-Savours: There was no ruling.

Mr. Speaker: —who took a particular decision. At present, I have no authority to do that.

Mr. Campbell-Savours: There was no ruling.

Mr. Speaker: The House cannot possibly ask Mr. Speaker to do something for which he has no authority and which he cannot do.

Mr. Dobson: I think that my right hon. and hon. Friends would be grateful, Mr. Speaker, if you, with Madam Deputy Speaker and the Clerk, were to review what happened last night, and then to give a ruling for the future. We are not necessarily asking you to overrule what happened last night. We are asking you to take the course that I have suggested, in your role as the protector of everyone's rights in this place. We ask you to give a ruling on the application or otherwise of the Standing Orders that apply to voices, which clearly were not complied with last night. I think that everyone would agree that they should be authoritative.

Mr. Speaker: The hon. Gentleman raised a point of order at the time. He should have persisted with the matter last night.

Mr. Dobson: I have no wish to embarrass you, Mr. Speaker, as the occupant of the Chair. You seek to persuade us to make brief points of order, not to pursue them and not to continue to take up the time of the House. I thought last night—it is clear that my colleagues took the same view—that once we had had the opportunity of listening to the tape, we might get some response from you, Mr. Speaker. It was clearly unreasonable to ask Madam Deputy Speaker to leave the Chair to listen to the tape to ascertain what had gone on.

I find it a trifle upsetting to be told now that having raised a point of order at the moment that the issue arose, that point of order does not count. It seems that I am being told that I should have persisted with it. I do not know what I should have said to Madam Deputy Speaker when she said:

"A Division is now in progress."—[*Official Report*, 8 November 1988; Vol. 140, c. 262.]

Should I have tried to interrupt the Division? We are asking you, Mr. Speaker, to review what happened last night, not necessarily to overrule it. We wish you to clarify exactly where we stand in relation to the Standing Orders.

Mr. Speaker: We really should get on. [HON. MEMBERS: "No."] The authoritative record is *Hansard*, not the tape. What matters is what the occupant of the Chair hears and what is recorded in *Hansard*. In fairness, it must not ask the Speaker to overrule the occupant of the Chair when he has no authority so to do.

Mr. Campbell-Savours: There is no ruling.

Mr. Kenneth Hind (Lancashire, West): Further to that point of order, Mr. Speaker. I seek your guidance on this important matter. Is not the normal procedure that which happened yesterday—that the Second Deputy Chairman said,

"I think that the Noes have it."—[*Official Report*, 8 November 1988; Vol. 140, c. 262.]

She did not say, "The Noes have it. The Noes have it", as often happens, which is usually an invitation to the other side who wish to oppose to shout. Is it not correct that Madam Deputy Speaker then heard the point of order made by the hon. Member for Holborn and St. Pancras (Mr. Dobson) and made a ruling by continuing the Division, which was the end of the matter?

Mr. Stanley Orme (Salford, East): Further to that point of order, Mr. Speaker. The House is not asking you to overrule Madam Deputy Speaker but to look at the matter. Fresh evidence has been raised and there is no reason why, without any commitment, you could not discuss the matter with the people concerned and come back to the House. I put that as a sensible suggestion to you.

Mr. Speaker: In order to conclude this matter, I will discuss what happened last night with the Deputy Speaker. She has already mentioned it to me this morning, but I shall discuss it with her further. I think that we should now get on.

Mr. Alan Meale (Mansfield): On a point of order, Mr. Speaker.

Mr. Speaker: No, I cannot say more than I have said. Is the point of order on a different matter?

Mr. Meale: It is in relation to your ruling, Mr. Speaker.

Mr. Speaker: I have not made any ruling.

Parental Leave

5.1 pm

Mr. Harry Cohen (Leyton): I beg to move,

That leave be given to bring in a Bill to introduce a statutory right to a period of parental leave for working parents of young children; to make provision for the establishment of a parental leave fund for the reimbursement of payment made during parental leave; and for connected purposes.

I shall certainly be shouting aye loudly when I have presented the Bill.

I am pleased to reintroduce my Parental Leave Bill which was first introduced on 11 February last year, when it had considerable support in the nation. It is a radical and progressive measure for parents and children. It provides that mothers and fathers be allowed to take three months' paid leave during the first two years of their child's life. It can be in the first five years if the child is disabled or adopted. Parental leave will also apply to single parents and, on a pro rata basis, to part-time workers. It gives the parents the right to return to the same or similar work after an absence for child care.

The benefits of parental leave are enormous. It promotes equal opportunities, especially for women, and it gives a mother more options, knowing that the time off will be available to herself and her husband. It makes it easier for her to choose whether to return to work after the birth of her baby. With the provision of parental leave, her employment conditions take into account her real life circumstances—those of a mother. At present, many women are simply denied the choice of whether to return to work. Many of those who do return are in low-paid, low-calibre jobs, increasingly part-time, and their skills are neither properly used nor rewarded.

Parental leave also helps women to overcome the discontinuity in employment caused by child rearing. Britain has a low employment rate for women compared with the United States and other industrialised nations. A mother of two is out of the labour force for over seven years on average and loses earnings of more than £140,000 during her working life. That is unfair, but it could be overcome with measures such as my Parental Leave Bill.

Parental leave also distributes responsibility for child care more fairly between the parents, recognising it as a joint responsibility, not the woman's alone. Parental leave actively promotes that important change in attitude.

Parental leave also improves family and child welfare. It allows and encourages mother and father to work together as a team, sharing the burdens and the pleasures of caring for their baby. It recognises the importance of bonding, especially between father and child. Mr. T. Berry Brazelton, the chief medical officer of Harvard medical school in Boston, writing in *American Journal of Orthopsychiatry*, said:

> "We have seen that relatively minor, relatively inexpensive adjustments on the part of the medical system—such as . . . father participation . . . —can increase the opportunities for 'bonding' to the baby. Although this is likely to be only a first step toward fostering attachment and significantly enhancing the possibilities for the baby's optimal development, it is a most important step."

I could give many other examples from the experts.

Parental leave will also counter the growing incidence of child abuse in Britain and be a serious measure in the reduction of family stress, which can be so damaging.

Parental leave gives dads a fairer deal. Fathers are almost forgotten contributors to child development, but most want to contribute positively. Many, when given the opportunity, find that they enjoy spending time with their children.

The benefits are enormous and they are widely recognised abroad. For example, 10 of the 12 EC countries already have parental leave arrangements. That is recognised by the Under-Secretary of State for Employment, the hon. Member for Teignbridge (Mr. Nicholls) in his letter to me dated 10 June. Britain is dragging its feet in denying working parents parental leave. The Government say that the EC countries have widely differing provisions, but at least they have them. Britain should have them as well. The Government should not continue to veto the EC draft directive.

The cost of parental leave has been referred to as a problem. The EC scheme would at most cost only £45 million. Mine would cost more, mainly because it is better, but it would cost less than 0·1 per cent. of overall working costs. My Bill recognises the impact that parental leave would have on small businesses by setting up a parental leave fund so that such people would not lose out.

It is easier for the employer and employee to plan, and would cost less, if leave were authorised rather than being unauthorised, as happens now. The skills returned to those firms by women's return to work is also of considerable value and should be taken into account. The benefits of parental leave clearly outweigh its cost. That is why the rest of Europe has adopted some form of parental leave.

My Bill has received widespread support. Significantly, active support has come from the British Medical Association, which says that it will give British parents the same opportunities as the majority of their counterparts in Europe, laying the foundations for a secure family life. The BMA goes into greater detail, which I shall not deal with because of the shortage of time, but it also presses parental leave upon the National Health Service, where it says it is very much needed, and the matter is being taken up at Whitley council level. In recognition of that, and in their role as employer, the Government should move towards parental leave.

My Bill is also supported by the Equal Opportunities Commission. It believes that there is an urgent need for such an arrangement to assist the reconciliation of work and family responsibilities and to encourage a more equitable sharing of the latter. It is also supported by the National Childbirth Trust. *[Interruption.]* Hon. Members groan every time I mention such organisations.

The Maternity Alliance supports my proposals and states that there needs to be a statutory right to parental leave as that would be the single most important step to reducing the disadvantages suffered by working parents, although it would like to see other improvements in child care provision as well. The Maternity Alliance itself has the support of more than 50 national organisations, some of which are very well known.

My Bill has the support of my hon. Friend the Member for Barking (Ms. Richardson), so it is agreed Labour party policy that a system of parental leave should be introduced. It has the support of many trade unions. NUPE has sent me a letter giving the Bill its strong support and urging the Government to think again about the draft directive and their veto of it. Many local authorities have also written to me to that effect.

The denial of parental leave is part of the Government's reduction in overall child care support which includes the freezing of child benefit last week. There have been any number of reductions. Last week, *The Observer* commented:

"Mothers bringing up Britain's next generation are made to feel like scroungers."

That is because of the effect that cuts have on child care. My Bill seeks to rectify that. My purpose in introducing it now is to influence the Queen's Speech and to make the Government think again; to start acting in favour of children and the family rather than utter platitudes while at the same time marching in the opposite direction and cutting child benefit.

The European Commission report, "Child Care and Equality of Opportunity" stated that the principal aim

"is a Europe where the work and responsibility involved in child care is properly valued and more equally distributed; where parents can reconcile family responsibilities and employment . . . in a way that is satisfying and does not involve disadvantage and inequality; and where children can get the advantage of a range of positive and enhancing experiences at home, in child care services and society at large. These aims concern both equality and quality of life."

My Bill is part of that aim.

Question put and agreed to.

Bill ordered to be brought in by Mr. Harry Cohen, Ms. Jo Richardson, Mrs. Margaret Beckett, Mrs. Ann Clwyd, Ms. Clare Short, Mrs. Audrey Wise, Mr. Tony Banks, Mr. Jeremy Corbyn, Mr. Don Dixon, Mr. Dave Nellist, Mr. Tony Benn and Mr. Bob Clay.

Parental Leave

Mr. Harry Cohen accordingly presented a Bill to introduce a statutory right to a period of parental leave for working parents of young children; to make provision for the establishment of a parental leave fund for the reimbursement of payment made during parental leave; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 230.]

Orders of the Day

Housing Bill

Lords amendments considered.

5.12 pm

Mr. Clive Soley (Hammersmith): On a point of order, Mr. Speaker. We have for a number of months expressed our concern about the way in which the Bill has been handled both in the House and outside. I draw to your attention, Mr. Speaker—although I recognise that there is little you can do—the fact that last Wednesday during Environment Question Time there were two opportunities for the Government to tell the House of Commons first what they intended doing about housing action trusts and their vote.

In fact, the Government announced their intentions to the nation on a television programme last Sunday. As one of my hon. Friends described it, it was Government by Dimbleby. We object to Government announcements being made on television when only a few days previously they missed an opportunity of dealing with the matter during questions, which only serves to devalue Question Time.

Mr. Simon Hughes (Southwark and Bermondsey): Further to that point of order, Mr. Speaker. Not only was the Government's announcement on television extremely vague, but when my office phoned the appropriate Government Department a little later, it did not know whether or not an announcement had been made. We often complain to you, Mr. Speaker, knowing that all you can do is to listen, and that you are a means of passing on our complaints. I realise that you cannot do anything, but I wish to register a very strong protest.

My other point concerns a matter that we have been raising for a year. We have had the shortest possible time, rather than the normal amount of time, to deal with matters that have come to this House from another place. I realise that we are near to the end of this Session, but corners are being cut far too often, particularly in respect of major legislation affecting millions of people, and that is not acceptable.

Mr. George Howarth (Knowsley, North): Further to those points of order, Mr. Speaker. The House has problems enough arising from the Minister for Environment, Countryside and Water being in another place and not accountable to this House. That is compounded by the fact that major announcements are made on television rather than from the Floor of this House. There is a strong feeling on the Opposition Benches that it borders on contempt when announcements are made in that way.

Mr. Speaker: I understand that the broadcast in question concerned housing action trusts. I did not see it myself, but right hon. and hon. Members know my view that the House should always be the first to be told about such matter, rather than learn through other means. It will be possible to debate this matter under Lords amendment No. 111. Perhaps that will be the moment when right hon. and hon. Members who heard the broadcast can comment and ask questions.

Clause 1

ASSURED TENANCIES.

Lords amendment: No. 1, in page 1, line 17, after "(2)" insert "or subsection (5)"

The Parliamentary Under-Secretary of State for the Environment (Mr. David Trippier): I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Speaker: With this, it will be convenient to take Lords amendments Nos. 2 to 4, 45, 46, 166 and 250.

Mr. Trippier: Amendments Nos. 1 and 4 are designed to help local authorities arrange temporary accommodation for homeless people to whom they owe a duty under the homelessness provisions of the Housing Act 1985. Under that Act, local authorities have a duty to house the homeless temporarily in certain circumstances. Where an authority provides the temporary accommodation itself, it will normally have no difficulty obtaining possession when the time comes for the occupant to leave, because the Act provides tht lettings of that temporary kind are not secure tenancies for the first 12 months.

There can be problems where the temporary accommodation is provided by arrangement with another landlord, such as a housing association. The landlord needs to be sure that he can get possession when necessary to house other families. The amendments, which are modelled on the equivalent provision in the 1985 Act, thus provide that a tenancy granted by arrangement with a local authority pursuant to its duties to arrange temporary housing will not normally be assured during an initial 12 month period. Amendment No. 250 adds a similar provision to the equivalent Scottish legislation.

Amendments Nos. 2, 166, 3, 45 and 46 are concerned with tenancies where the landlord is a fully mutual housing association—usually referred to as a housing co-operative. The Bill provides that such tenancies cannot be assured tenancies. We included this on the argument that a statutory regime designed to regulate the relationship between landlord and tenant has little relevance in a situation where, as is the nature of a co-operative, the interests of landlord and tenants as a whole are, in effect, indivisible.

It has none the less emerged that a small number of co-operatives are at present letting on the basis of old-style assured tenancies under the Housing Act 1980. We accepted that it would be wrong, as a matter of principle, to deprive the tenants in those cases of statutory protection that they now have. Amendments Nos. 2, 3 and 45 deal with the problem by providing that an old-style assured tenancy under which the landlord is a fully mutual housing association will become, on commencement of the Act, a new-style assured tenancy.

Mr. Soley: This important amendment deals with assured tenancies. I should be grateful if the Minister will clarify certain points. He mentioned that, in certain circumstances, temporary accommodation may be provided by housing associations. However, amendment No. 45 implies that it will not necessarily be a housing association that is involved. In other words, the amendments could apply to any new landlord, and that is likely to be the case.

Lords amendment No. 4 is the meat of this group of amendments. Current legislation will result in many local authorities having no housing to offer the homeless, while still having a statutory duty to house them. It is feared that the Government are seeking to get rid of the Housing (Homeless Persons) Act 1977, or at least to redefine it so that it means ruthlessness. They will then be able to fiddle the figures much as they have done with the unemployment statistics, rather than solving the problem of homelessness, which is much more important than fiddling figures.

Under existing legislation, some local authorities are already trying to transfer all their housing stock to housing associations or other organisations. The Minister recently sent out guidance to local authorities, which appalled me when I read it, and which incidentally was never raised in the Standing Committee. One of the reasons why we complain about the management of the Bill at every available opportunity is that we did not debate many of these issues in Committee, because the Government had not given us the necessary information, or else made changes after the relevant stage was over.

The guidance stated that local authorities transferring all their stock might wish to enter a private contract with another landlord for the housing of homeless people. That raises a number of questions. For one thing it means privatising the homeless, but other matters never debated in Committee also become relevant here.

Let us suppose that, after a local authority has transferred all its stock, someone appears at the local council office claiming homelessness, perhaps accompanied by a couple of young children. The local authority enters into a contract with a private landlord who says that he will take the family, but we do not know how long he will have to take them for; it may be a long time or quite a short time. The problem will be complicated in some areas where the only alternative is for the homeless people to stay with that landlord, but if he keeps them for longer than 12 months their tenancy position will change.

The Minister puts the measure forward as a way of dealing with the problem of someone who becomes homeless but should not be made an assured tenant because the landlord will want to move him on in due course. In those circumstances, what will happen to the homeless family? Will they go back to the local authority and say that they have become homeless again because of the wording of the Bill?

The Government have made it clear many times that they intend to get local authorities to give up all their council housing. Even if we agree with that, which I do not, it is nonsense to get authorities to give up housing without being able to replace it. I do not think that anyone apart from the Government believes that the private sector will replace it. We know that that sector has lost even more rented accommodation since 1980 than suggested by some of my original estimates. Well over 550,000 lets have gone in the past few years. We also know that well over half the lets in London are outside the Rent Acts, so they would not seem to have much to do with it.

A number of further problems arise from the local authority's contract with the private landlord. First, we have no indication of what he can or should charge. If he is a monopoly supplier he may be able to charge the earth, and presumably the ratepayer will have to pick up the bill. The local authority, however, may be able to choose between two or three landlords. If, as the Minister has said, the landlord will want the homeless person out, perhaps the Government propose that, before the 12

months are up, the local authority should ring up yet another landlord and say, "In a few months Mr. Brown, who has kindly been housing a homeless family, will not house them any more, because if he does he will have to take them for good—or at least under the conditions of an assured tenancy. If we are to avoid that, we need someone else to take them."

Presumably Mr. Smith, who has been approached to take the family from Mr. Brown, will say, "I don't know. Are you going to leave them with me for as long as you left them with Mr. Brown?" The family will be, at best, passed around from one landlord to another, each landlord having to foreclose within 12 months. Alternatively, the local authority will have to try to wriggle out of its responsibilities.

The Observer of the Sunday before last featured an article about a Department of the Environment report which said that some local authorities took their responsibilities to the homeless much more seriously than others. The article claimed that the Government were deliberately suppressing the report because it said that, although councils were dealing with the homeless very well, some—Westminster was cited as an example, which came as no great surprise—were finding reasons for not housing them. Others, such as Birmingham, tried to rehouse them within a day. Birmingham is of course a Labour council. That says something about the different values on the two sides of the House.

A report produced by the Department, not by me or my supporters, states that some authorities are now backsliding on their responsibilities to the homeless. The amendment will mean either that landlord and local authority will vie with each other to move the family on or that, if the authority is desperate or devious enough, that it may try to persuade the landlord to keep the family for longer than a year to obtain the greater assurance for which the amendment provides. The argument thus becomes extremely complex.

As so often in the Bill, the Government have said that this is only a small change and that the Lords have made an improvement. I shall not argue about the nature of the improvement, but, as always, the handling of the change has meant no debate in Committee or on Report, and the proposal has not been examined in depth. Now, for understandable and good reasons, the Lords have introduced a measure that will mean many homeless people either being shunted between landlords or pushed out into the street again. Alternatively, the council will try to back them by persuading a private landlord to keep them for a long time.

I think that the Bill is a disaster. I make no bones about that. Last year homelessness doubled in this country, and I have no doubt that it will double again, not least because of the Chancellor's absurd interest rates policy. He claims as an example of its working for the economy that it makes it harder to get mortgages—in other words, harder to buy. Given that it is already harder to rent, we must ask where on earth people on low incomes are supposed to rent or buy. The answer that the Government always give is that somehow or other, the private sector will resurrect itself and make up the difference and homeless people will be able to turn to the private sector. But there is no sign that that is happening.

We are being asked to accept Lords amendments to deal with that, so we need to know how local authorities are supposed to deal with homeless persons in the circumstances that I have described. No one denies that there will be an increase in homelessness. The other day I was interested to hear either the Prime Minister or the Secretary of State say that one of the problems of homelessness was young women getting pregnant in order to jump the queue. I find that suggestion offensive and insulting. The number of women in a decade in Britain who decide to get pregnant in order to jump the housing queue probably could be counted on one hand. The hon. Member for Wirral, South (Mr. Porter) may shake his head, but it is incredibly insulting to suggest that women get pregnant for that reason.

5.30 pm

Conservative Members forget that there is a duty on local authorities to tell people who is entitled to be housed. In certain circumstances, they have a duty to house women who are going to have babies. However, that does not mean that women rush out and get pregnant in order to jump the list. Even if that were the case, it is clear from the statistics that the fastest-growing reason for homelessness is mortgage repossession. One in 10 homeless families are homeless because they cannot pay their mortgage. One in 10 of homeless families are homeless because of mortgage foreclosure, compared with about one in 25 under the last Labour Government. That is the nature and extent of the problem.

Under the Bill and the existing legislation, local authorities are already moving all their tenants into the private sector. They are asking housing associations to take them over, they are setting up housing associations or, in some cases, they are looking for private landlords, who are not part of the public sector as are housing associations—at least in part. The Government have not told the councils or the people of this country—some of whom will become homeless—what will happen when people present themselves as homeless at the town hall, the town hall parcels them out to one of the contracted private landlords, and the private landlord says, "The Bill as amended says that if I keep you for too long, you become an assured tenant. I cannot risk that, so you will have to go."

Am I correct in my interpretation that the amendment relates to all landlords, and not just to housing associations? Secondly, will the Minister spell out in detail his views on how local authorities are supposed to deal with homelessness when the homeless have been contracted out to private landlords who are worried about keeping them for too long in case they become assured tenants?

Mr. John Battle (Leeds, West): I am glad that at last the word "homeless" appears in the Bill. It has only just appeared in an amendment at this very late stage. Certainly, some hon. Members, at least those on the Opposition Benches, believe that the Bill will generate homelessness, but I am glad to see that at least the word appears in the Bill.

I am grateful to the Minister for a reply that I received to a question I tabled earlier this month.

Mr. David Winnick (Walsall, North): I am grateful to my hon. Friend for giving way. Is he aware of a parliamentary reply I received from the Department of the Environment? I asked what study had been made of prospective tenants on housing waiting lists and of whether people waiting for accommodation from local

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authorities could pay the market rents. I received a reply from the Minister saying that no such study had been carried out. Does my hon. Friend agree that the large majority of people on housing waiting lists would be in no position to pay market rents?

Mr. Battle: I am grateful to my hon. Friend for his intervention, as questions quite often receive deceptive replies. I would couple the question to which my hon. Friend has referred with a question that he asked earlier to which he received a reply from the Government suggesting that there should be no more council house building in Britain.

Earlier this month I asked the Minister

"What advice he proposes to give to local authorities which have no housing stock about their fulfilment of their statutory duty to house the homeless."

I remind the Minister of his reply. He referred to the guidelines that his Department issued in June and said:

"This makes it clear that local authorities must make adequate arrangements to continue to meet their statutory obligations in relation to housing the homeless under part III of the Housing Act 1985. In deciding whether to give consent to large-scale disposal, the Secretary of State will need to be satisfied that such arrangements have been made."—[*Official Report*, 2 November 1988; Vol. 139, c. 689.]

That is a circular answer which builds a circular argument for the Government. It is not a question of large-scale disposals which may leave behind some council housing. What will happen when all the council housing has gone? How on earth will a council be able to fulfil its obligations to house the homeless, unless, as my hon. Friend the Member for Hammersmith (Mr. Soley) suggested—he asked the Government to clarify this—the interpretation behind the amendment is that the Government intend local authorities to make arrangements with private landlords? Is that the case, or are the Government suggesting that in future local authorities make arrangements with housing action trusts and give them the statutory obligations to house the homeless? That is not in the Bill.

If that is the case, it is clear that a hidden agenda lies behind the amendment, and the Government are beginning to offload the duties of local authorities to house the homeless on to private landlords and housing associations. That would change the offer to homeless people from that of a secure tenancy to a temporary provision and downgrade their status in society.

Will the Minister make it absolutely plain to the House tonight that the Government do not intend to downgrade the status of the homeless and to shift the bed-and-breakfast option into statutory provision? That could be a consequence of the measure. If councils have no housing for homeless people, where can they go except into bed-and-breakfast accommodation? Ministers have condemned bed and breakfast as a bad deal costing the taxpayers excessive amounts in housing benefit. Will the Minister now say that that is not the option that will be left? If a local authority is to be told that it can fulfil its statutory obligations only by supporting bed-and-breakfast accommodation, the Bill ends where it started and does not tackle the real problems of housing in our society. I hope that tonight the Minister will give us some assurance that that is not the hidden agenda behind the amendment.

Mr. Simon Hughes: I have only one question to put to the Under-Secretary of State, and I welcome him to the debate. It is particularly unsatisfactory that, for the first time for many years, we have no Minister for Housing who is a Member of the House. I know that the Secretary of State heads the Department, and it is proper that he is on the Government Front Bench. However, it is entirely unacceptable that the person entrusted by the Government with the responsibility for housing has no constituents whatsoever. He has no constituents who tell him about the plight of the homeless, who come to him homeless or who tell him about the effects of the cuts in housing benefit, about their difficulties in obtaining a move or about their conditions.

I have not checked, and I have no idea how large an estate or how large a home or homes the Earl of Caithness has—*[Interruption.]* It is entirely relevant, because people who live in mansions on large estates have no idea what it is like to live in damp tower blocks or inner-city slums. I know what it is like because I live in the middle of my constituency, which is one of the worst and most deprived housing areas in Britain.

I understand that the arrangements are temporary and that the Minister for Housing may be packed off elsewhere after he has done his job of getting the remaining amendments through the House of Lords. If we are to have housing legislation in the next Session, I sincerely hope that the Secretary of State and the Prime Minister will do the House and the country the courtesy of appointing a Minister for Housing who is accountable to the House of Commons and who has some idea of what the housing crisis in Britain in 1988 is like.

Mr. John Heddle (Mid-Staffordshire): Would the hon. Gentleman acknowledge that the noble Lord, the Minister for Housing, Environment and Countryside is a fellow of the Royal Institution of Chartered Surveyors, which may enable him to bring some practical knowledge of housing Acts, landlords and tenants and housing generally to bear on his job? Does not that make him as well qualified for the job as a member of the Bar?

Mr. Hughes: I accept the hon. Gentleman's valid factual point about the Minister's qualifications, but it is entirely unacceptable that the man in charge of British housing has no constituents and is elected by no one. Recent housing legislation has been the result of the Government's failure to understand. I do not know whether the hon. Gentleman saw the programme "On the Record" on Sunday——

Mr. Heddle: The hon. Gentleman obviously did not.

Mr. Hughes: Yes, I did; I did not see the beginning, but I watched the whole interview with the noble Lord. The U-turn, or concession, made on housing action trust votes —we shall debate that later—came only because at some time in the summer the Secretary of State, his junior Minister and others went to meet real people to talk about real issues, thereby coming to understand the folly of the Government's proposals.

Mr. Allan Roberts (Bootle): As the hon. Gentleman says, that ministerial statement was made on television, not here. Does not that emphasise the hon. Gentleman's point that the Government treat Parliament with

contempt, appointing unelected Ministers with responsibilities for major programmes of activity? These Ministers do not even announce major initiatives in the other place—they do so on television.

Mr. Hughes: That is correct. The programme I have referred to was one of those extraordinary times when it was impossible to know whether an announcement had been made. Certainly, that was not clear to the interviewer or to the waiting public: was it a concession or an acceptance of the Lords amendment? That was not clarified until later, as I said in a point of order to Mr. Speaker.

In future, I hope for clear announcements, made in the proper way, in the right place—this Chamber.

I want to ask the Under-Secretary of State a question about Lords amendment No. 1. Amendments Nos. 1 and 4—especially No. 4—provide for two options. Present arrangements for housing the homeless, as laid down in the Housing Act 1985, are usually for assured tenancies for the first 12 months. Exceptionally, if people want to resile from that, they can create an assured tenancy in less than 12 months. What does the Minister regard as the appropriate policy for granting accommodation to the homeless? On Friday we are to debate these matters on a Government motion for the Adjournment. It would be helpful to know now whether the Government think that people who qualify for accommodation temporarily, indefinitely or permanently, because they are homeless, should be given only insecure accommodation—or the same security as anyone else.

5.45 pm

Mrs. Alice Mahon (Halifax): I have a simple question for the Minister, to which I want a full and honest response. How will local authorities deal with the homeless? Is the privatisation of homelessness to be forced on us, as happened with the care of the elderly by means of a series of measures? Now, there is wholesale private care of the elderly, whereas before local authorities had the resources to deal with them.

If homelessness is to be privatised, the Minister must give us some guarantees, the more so as this is one of the few occasions in the course of proceedings on the Bill when we can discuss this subject. Friday is fine, but it is good to have a Minister here now to answer questions about the detail of the Bill.

My hon. Friend the Member for Leeds, West (Mr. Battle) mentioned bed and breakfast. Is that to be housing's equivalent of private residential homes for the elderly? Parallels between the two can be drawn. These moves cannot be justified even in the Government's own economic terms. They will be wasteful and destructive of family life—so much has already been proved. I have come across this as a local councillor. Sadly, during the past two or three years Halifax has developed a real homelessness problem. In the past it had a proud record of housing people; now we have full hostels, and we have to use bed-and-breakfast and private accommodation, which is often squalid. Local authorities are left with no alternative but to use it.

The Government are using this Bill deliberately to destroy the welfare state. As an example of that, I offer a unique scheme in Halifax to rehouse young people, many of whom had offended or been in care. It was sabotaged even before it started because cuts in housing benefit made it uneconomic. My constituency contains a high-rise block of flats that could have been put to good use. In conjunction with Stoneham housing association, the council was to furnish the flats and let them cheaply to homeless people, but, because of changes in the law this April, housing benefits are no longer available, which has left many of these youngsters £4·65 short each week.

All these factors have combined to create a horrendous homelessness problem. Does the Minister intend to seek the wholesale privatisation of the homeless? He owes the House an honest answer.

Mr. Ian McCartney (Makerfield): Almost in the final hour of debate on this Bill, the Government have introduced the word "homelessness", thereby affording some recognition—albeit insignificant—to a growing problem.

Over the past decade, the Government have presided over a doubling of homelessness in Britain, and that is only the tip of the iceberg. Those figures are calculated by the Government and local authorities and do not include people who are homeless but do not qualify as such under the Act. Another reason why the Government are trying to give the impression that they are concerned about homelessness is that it was becoming clear throughout the summer in leaks from the Department that the Government intended to consider changing the whole nature of homelessness legislation in the Queen's Speech and to replace it with the concept of rooflessness. At that point the Government came under ever more powerful pressure because of their callous attitude to homelessness.

Since July, five reports on the problem have been issued. The Audit Commission's final report has not yet been completed but the draft report is a damning indictment of the way in which the Secretary of State has handled and defined homelessness. The Commission said that the major reason for homelessness was the Government's market philosophy of housing, as shown in the Bill. It is also true that the Government, in trying to avoid the embarrassment of the report, have rushed out their own document about rural housing. That is a matter that we shall return to on other amendments.

What has been said by the Institute of Housing and the Chartered Institute of Public Finance and Accountancy? Those organisations completed major reports about housing this summer. On 9 November, a report was published in *Housing* magazine about homelessness. The report was prepared not by politicians but by professionals and it involved consultations with housing associations, local authorities, community groups and housing charities. The report comes to the conclusion that the Government's underinvestment in public housing is a major factor in the increase in homelessness in the United Kingdom. The report says:

> "Some means, such as 'homeless at home' schemes, exist to help reduce the use of bed and breakfast. We were also convinced that housing associations must play a more active role and offer greater assistance to local authorities in housing the homeless. Nevertheless . . . Government must accept responsibilities for meeting the needs of homeless people, instead of expecting local authorities with their limited administering resources, to bear the brunt. Direct action must be taken to ensure that the 50,000-70,000 extra homes a year . . . are actually built."

Those homes should be built in the public sector.

What is the Government's response to that call from the professional organisations involved in housing, the

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voluntary sector and charities? The Chancellor of the Exchequer gave a clue in his autumn statement. *Inside Housing*, Volume 5, No. 43 says:

"The bonanza caused by the rise in council house sales will not be reinvested in housing. That is the message contained in Chancellor Nigel Lawson's Autumn Statement published this week—and it's bleak news for local authorities and those in housing need . . . For 1989/90 local authorities have been given a negative cash limit: the total they will be allowed to spend (£3,303 million) will be less than the amount coming in from capital receipts (£3,490 m). Actual allocations through the housing investment programme will be cut 20 per cent. in cash—and nearly 26 per cent. in real terms—compared to this year, leaving a HIP total of only £920 m."

That is the Government's response to the debate over the summer about the growing crisis of homelessness and that is why the Minister spoke so inadequately for the Lords amendments. None of the amendments will tackle the growing crisis of homelessness in Britain. The Government are creating not only an under-class, but a class of nomads who go from one hostel to another and from one bed-and-breakfast hotel to another. There is no opportunity for the single homeless or for homeless families to set down roots or to be involved in the community. The Government do not give a damn about that, because the homeless are also voteless. The crisis of homelessness denies people the opportunity to put down roots and the opportunity to have a say in the running of the country. The Government's policy of underinvestment shows a great disregard for many people in the United Kingdom. The Minister owes it us to bring forward genuine proposals this evening to deal with the growing crisis of homelessness.

The Minister need only walk with me five minutes from the House to see men and women sleeping tonight in cardboard boxes. That is London 1988, not 1888. Tonight, 7,000 young people will sleep rough in the nation's capital. They are not feckless people who are unable to seek jobs. They were persuaded by the Government and by the former Secretary of State for Trade and Industry to get on their bike to seek their fortunes in the capital city. They find themselves not only isolated and jobless, but without a roof over their heads. That happens not only tonight, but every night of the year—in summer, winter, or spring.

The Secretary of State does not seem to be able even to listen—or perhaps he does not like to hear about what happens to the homeless. He is responsible for the housing problem not only because of his intellectual contempt for the homeless, but because in a former life he was a private landlord. I can imagine his attitude to the homeless.

Mr. Simon Hughes: I am sure that the hon. Member realises that if one goes over the river to Waterloo, one will see many homeless men and women sleeping out every night. Many do not take one penny off the state and never have done. Some of them still manage to go to work and earn money, although they can find nowhere to live and have no prospect of doing so for months on end. There are queues for the more sheltered spaces under the arches, let alone at housing offices up and down the country.

Mr. McCartney: The hon. Member is right. I shall make an offer to the Secretary of State. Will he come with me to the jobcentre in Victoria street and meet the young and middle-aged, men and women who are waiting for an odd job in hotels or, ironically, bed-and-breakfast accommodation? They work during the day and sleep rough at night, yet they go back day after day to seek a living. The hon. Gentleman was right to say that they do not receive a single penny of benefit from the community. They do not receive housing benefit, unemployment benefit or income support.

The crisis is not merely a crisis of rooflessness, as the Government put it; it is a crisis of the nation's social conscience. The Minister must take steps to meet that social crisis. Housing is an essential part of the issue, so he must come up not only with simple little phrases about dealing with homelessness, but with cash and resources to provide new housing to meet the crisis. He must do so before young people's lives are ruined. They run the risk not only of bad health caused by living rough, but of being morally corrupted. The Minister has refused to deal with the moral corruption of young men and women who are forced into immoral practices because they are unable to find jobs or houses, and the support of families and the community is denied to them.

Will the Minister give a commitment to visit cardboard city and to meet the people who seek jobs at the jobcentre in Victoria street and then sleep on Charing Cross embankment? He should see for himself the results of the bankruptcy of Conservative policies on homelessness in this country.

Mr. Winnick: Labour Members make no apology for being passionately concerned about the plight of the homeless, as was my hon. Friend the Member for Makerfield (Mr. McCartney). I know that the Secretary of State has his good points on other matters——

Mrs. Mahon: Which ones?

Mr. Winnick: His good points are not in political matters. The Secretary of State simply does not care about housing. Some senior Ministers have a private concern about housing, which they do not often express. However, the Secretary of State has no public or private concern about the misery of the homeless. He does not understand the problem, he could not care less about it and he probably thinks that people could find accommodation if they really wanted to.

We are debating an amendment that has a great bearing on the position of the homeless. Homelessness could be avoided if local authorities were able to build accommodation. I have been given figures that show that the number of new public sector starts for the coming financial year will be well below 20,000 for the whole country. That means that in some places, such as my borough, no local authority building has taken place for nine years. Unless the Government change their policy on local authority finance, there is not the slightest chance of any new building taking place. Ministers respond by asking, "What about the empty dwellings?" A number of dwellings are undoubtedly empty because work is being undertaken, but all the empty dwellings put together would be a drop in the ocean when compared to the need to house and rehouse people in the public sector.

6 pm

When I intervened in the speech of my hon. Friend the Member for Leeds, West (Mr. Battle) I referred to a ministerial reply that I had received. My question was a simple one. I asked whether the Department of the Environment had undertaken a survey to find out how

many people on the local authority housing waiting list were in a position to pay market rents. The whole emphasis of the Bill as regards the private sector is that all new tenancies will be subject to market rents, and it is therefore relevant to ask how many of those waiting for accommodation could pay market rents. I received the clear and simple reply that no such survey had been undertaken. That must be a matter of concern.

I do not suggest that everyone on the waiting list is desperately in need of accommodation, but the people who come to my surgery and who write to me daily about their housing problems are in a miserable plight. A young couple came to my surgery last weekend. They do not have children and they live with the wife's mother, who has other adult children living in the household. When I explained to them that the Government believed that they should be able to solve their problem by getting a mortgage and buying a place, they laughed, because they simply do not have the means to obtain a mortgage.

My hon. Friend the Member for Makerfield spoke of homelessness in this part of London. That is partly the Government's responsibility, but much of the responsibility also undoubtedly rests with the leadership of Westminster council. The way in which that council is being run is absolutely scandalous. Westminster council is in the process of selling off as much of its accommodation as possible—with or without tenants. It is trying to privatise the homelessness problem and will not take responsibility for the homeless.

It gives me no satisfaction to say that Lady Porter, the leader of Westminster council, is quite simply unfit to run a local authority. If the leadership had any understanding at all, it would be doing its utmost to fulfil its statutory responsibility for housing and would be putting pressure on the Government to allow it the finance necessary to house the homeless. Lady Porter, who almost acts as a dictator of the council rather than a normal leader of a local authority, does not seem to have any time for her Conservative colleagues, who are supposed to—[HON. MEMBERS: "They do not have much time for her, either."] Probably not. If ever a local authority needed to be investigated, it is the London borough of Westminster. Conservative Members may not be willing to echo my sentiments but I am sure that many of them—perhaps even those present now—privately accept that what I am saying is quite true. Lady Porter should not be in her present position and the sooner there is a change, the better it will be for all concerned.

Mr. Allan Roberts: I am sure that my hon. Friend is aware that a by-election is to take place in the Victoria ward of the borough of Westminster. The subject that we are discussing—the rights of housing association and private sector tenants—is becoming an issue in that by-election. That will enable Labour to move very much nearer to taking control of Westminster council.

Mr. Winnick: Leaving aside any patriotic party motive that I may have for wanting Labour to take control of Westminster, I am quite sure that it would be a godsend for all those who are now suffering in the borough, and who recognise that a change of control of the council would help to relieve their problem.

For what it is worth, the amendment provides limited protection, requiring a court order before eviction can take place. I repeat that the plight of the homeless should occupy all our thoughts. In previous debates I have spoken, like my hon. Friend the Member for Makerfield, about the homeless people who will be sleeping on the Embankment tonight. They are living in conditions which are more likely to be associated with conditions in a Third world country than with Britain.

If hon. Members think that I am exaggerating, they should go and look for themselves. We shall probably be here for quite a time and it would do no harm for Conservative Members—I shall join them if they like—to take a walk to see how many of our fellow citizens will be spending a cold November night in cardboard boxes, not because they are drunk or lazy or irresponsible, but because they are in no position to organise their housing; they cannot afford housing in the capital. Some of those people—not all, by any means—have taken the advice of the Government and have come hundreds of miles to seek a job. Whether they can find a job or not, they are certainly not in a position to solve their own housing problems.

Sir Ian Lloyd (Havant): The hon. Gentleman poses an interesting challenge. He compares the First and Third worlds and that is a legitimate comparison; there are 1 million people sleeping on the pavements of Calcutta. However, I challenge him to name any major capital city in the western developed world where a similiar problem does not exist, irrespective of the character or style of the Government in power.

Mr. Winnick: The obvious comparison is with New York—a city in the most advanced capitalist country. We know the sort of policies that are pursued in the United States and it is understandable that London and New York should have the same homelessness problem. *[Interruption.]*

Hon. Members: Stand up and say it.

Mr. Winnick: If the hon. Member for Wirral, South (Mr. Porter) would stand up, I would gladly give way.

The hon. Member for Havant (Sir I. Lloyd) may say that in India many more people live in the conditions that I have described. But it is not part of our argument that conditions are the same here as in the Indian subcontinent. I am simply saying that the plight of those to whom my hon. Friends and I have referred—albeit a small minority —is disgraceful. It should not be allowed, and in most cases it is not the fault of the individual. It arises because in places such as London people cannot find a place through a local authority or housing association or obtain a mortgage.

Sir Ian Lloyd: I do not for one moment disagree with the hon. Gentleman's general comments about the undesirability—the tragedy—of homelessness, whether in Calcutta or in London. But the problem has defeated the organisation of man and systems generally. In every major capital city of the world, the problem of homelessness exists and has not been solved.

Mr. Winnick: I shall not be sarcastic in welcoming the hon. Gentleman into the debate. The hon. Gentleman and I have known each other for many years. We differ profoundly on many issues, but we have never been sarcastic to each other. The hon. Gentleman, with whom I completely disagree, has made his point in a courteous

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manner. I am very pleased that he has entered our debate, because hon. Members on both sides of the House should be talking about homelessness.

I think that the gist of the hon. Gentleman's argument was that the problem has defeated all Governments. But the problem of homelessness has become far more acute. The number of homeless people has trebled under the Conservative Government, and the explanation is relatively simple. Some problems are highly complex, but the reason why there are so many more homeless people —and near-homeless people who do not have to sleep in those conditions but who, like my constituents are childless and living with in-laws and may wait years to be offered local authority accommodation—is quite simple. It is because in 1979 the Government made it their deliberate policy to ensure that as few local authority dwellings as possible were built.

It should be clear to the hon. Member for Havant that reducing public sector building from 109,000 starts in the last full year of the Labour Government to a figure likely to be well under 20,000 this year means that people who cannot resolve their housing problems other than through local authority accommodation are bound to find themselves in the position that we have described.

Mr. Soley: It is important to deal with an excuse that is often used by Conservative Members. There has always been a problem of homelessness in all societies, usually focused on alcoholics, drug addicts, burnt-out schizophrenics, tramps and people who genuinely wish to be homeless. What is uniquely different about Britain and the United States today—I know of no other modern western country in a similar position—is that the problem of homelessness is increasing without being due to those causes. It is due to mortgage repossessions and so on. Britain and the United States seem unable to cope with the problem, so it is accelerating compared with countries such as those in Scandinavia where the problem has steadily decreased. That is a damning indictment of the British Government and, indeed, the United States Government.

Mr. Winnick: My hon. Friend makes the position quite clear. If the hon. Member for Havant, with whom I disagree but who always puts his points in a courteous manner, will look at the advertisements in the *London Standard* for rented accommodation—no doubt the situation is similar in his own area—he will find that the smallest flat is likely to cost more than £100 per week, a house between £300 and £400 per week and even a single room between £40 and £50 per week. That is the position in London, and much of the responsibility for it must rest with the Government.

I hope that the Minister will explain what action the Government intend to take to ensure that local authorities with the will to deal with homelessness, unlike the London borough of Westminster, are in a position to do so. Do the Government intend to shift the responsibility to people in the private sector who will not be able to provide accommodation for the homeless on a permanent basis? The Minister's answer that no survey had been undertaken to discover whether people on housing waiting lists could pay market rents shows that the Housing Bill is not concerned with the homeless or the near-homeless and will in no way resolve the problems of the people most in need.

Mr. Paul Boateng (Brent, South): It will make them worse.

Mr. Winnick: My hon. Friend is absolutely right. One way in which the Bill will make things worse is that, whatever the powers against harassment, people with regulated tenancies will be at risk because landlords and property companies will know that, if they can force those tenants out, as Rachman and his associates did the last time there was a Tory rent Act, the accommodation can then be re-let at market rents. The Bill does not apply just to new rented accommodation. All new lets will be subject to market rents.

Mr. Barry Porter (Wirral, South) *indicated assent.*

Mr. Winnick: The hon. Gentleman nods. I do not know whether he regards that situation as right and proper. He made a brave speech last night and I am happy to give way to him now. If he believes that providing accommodation through the private sector at market rents will do anything to help the people to whom my hon. Friend the Member for Hammersmith (Mr. Soley) and I have referred, I hope that he will explain how. Those who can afford market rents can almost certainly afford a mortgage, so the people most in need will not be able to take advantage of any provision in the Housing Bill.

6.15 pm

Mr. Boateng: The House will have noted that the Secretary of State has vanished. There has been too much talk of homelessness for his liking. Whenever the subject is mentioned within his hearing, his attention begins to wander, he starts to shuffle and shift in his seat and one can be sure that very soon afterwards he will disappear. He has not disappointed us in that respect today, but he must understand that we intend to bring the House back to the issue of homelessness time and again, so he had better get used to it. If he does not like hearing about homelessness, he will be spending very little time with us in the next few hours.

In one sense, the Under-Secretary of State should be relieved that his right hon. Friend the Secretary of State is no longer with us. The Under-Secretary, who is to reply to the debate—we are glad to welcome him to that position for the first time in a major debate—will appreciate that he is on probation. He has been handed the poisoned chalice of housing.

Mr. Soley: As an ex-probation officer, I have to point out that the last two Ministers responsible for housing did not even complete a year's probation before being put back inside.

Mr. Boateng: They have, indeed, suffered various fates. One has been sent on his travels and relegated to the Foreign Office. The other has been sent to the Back Benches where she now languishes so undeservedly. She could certainly tell the Under-Secretary a thing or two about his right hon. Friend who until recently was sitting beside him. The Under-Secretary must surely realise how difficult his present position is.

Mr. Simon Hughes: In view of their own experiences in the past couple of years, one would expect recent Housing Ministers to have some sympathy with people whose security of tenure is being substantially reduced.

Mr. Boateng: There is certainly nothing assured about the tenancy currently enjoyed by the Under-Secretary, and we shall do all in our power to make his shorthold as short as possible.

Having put the Under-Secretary at his ease, I am glad to see him beginning to rise from his torpor. I was starting to get worried and to wonder whether we were going to have a dead duck on our hands, but he is beginning to stir. The problems of the homeless may not rouse him, but reference to his own future clearly does.

Let us consider the effect of the amendments in the real world rather than in the world interpreted to the other place by the Minister of State. Some of my colleagues, or not so much colleagues as some of those representing the other Opposition parties—the Democrats, SDP Liberals or whatever the hon. Member for Southwark and Bermondsey (Mr. Hughes) would like to be called—

Mr. Simon Hughes: Liberal.

Mr. Boateng: We appreciate the hon. Gentleman's difficulty. It is not often that we feel sympathy for him, but on this occasion we do.

Mr. Barry Porter: Get on!

Mr. Boateng: The hon. Member for Wirral, South (Mr. Porter) from a constantly sedentary position says, "Get on!" We shall indeed get on, but we wish that he would get up. Given his knowledge of the leisure and tourism industries, perhaps he has something to say to those in enforced leisure who are camping out under the arches without being tourists. We will get on in our own time.

Having said that, I think that the hon. Member for Southwark and Bermondsey was a little hard on the noble Lord, the Minister for Housing, Environment and Countryside. That noble gentleman has responsibility for vast estates in Scotland, so he may understand certain homelessness problems because of difficulties in housing his gillies—*[Interruption.]* My hon. Friend the Member for Makerfield (Mr. McCartney) appears to be somewhat bewildered. A gillie is someone who looks after fish. My hon. Friend's knowledge of fish is probably limited to that which turns up in boxes, usually yellow and with a smiling captain on the front. However, there can be real problems with housing gillies in Scotland.

I have no doubt that the noble Lord will apply his real knowledge of homelessness to his duties as Minister of State. Indeed, there is some sign that he is already doing so, because amendments Nos. 1 and 4 are supposed to reassure housing associations that they will continue to have a role in providing short-term accommodation for the homeless without creating assured tenancies.

I wish to put a number of important questions to the Under-Secretary about the role of housing associations in providing accommodation for the homeless and about how they will work with local housing authorities to fulfil that role. As has been clearly illustrated by a number of my hon. Friends—and even recognised, in his own way, by one Conservative Member—the problem of homelessness is real. It has landed in the lap of local authorities, which are not being given the resources to enable them adequately to tackle it.

In addition, when they seek to meet the difficulties of the time by providing bed-and-breakfast accommodation —highly unsatisfactory accommodation for the homeless —they find themselves, as did my authority, caught in a double bind because of the rate support grant changes. One day they could rely on a certain amount of rate support grant to pay for bed-and-breakfast accommodation, but the next that money was no longer available—it cost my authority £4 million—with all the resulting difficulties in balancing the books and with the very real problem that that presented in fulfilling their legal obligations. Authorities have turned, quite rightly—mine has been doing so for several years, encouraged in rhetoric, but not in fact, by Ministers—to housing associations to meet the challenge of the times and to work together to meet the needs of the homeless.

Bearing in mind what purports to lie behind amendments Nos. 1 and 4—I take the point made by my hon. Friend the Member for Leeds, West (Mr. Battle)—one would have thought that that would be welcomed with open arms by Ministers; that the Department of the Environment would have hung out the bunting, delighted by the example of a housing association and a local authority working together to meet the needs of the homeless. However, that did not happen—surprise, surprise. I can see a twinkle of recognition beginning to show in the Minister's eyes.

My local authority entered into an arrangement with what was then the Brent people's housing association for the renovation and restoration of a disused office block in Alperton. It was a major and innovatory project which, one would have thought, would meet with approval because of its use of private capital. Not a single penny of ratepayers' money was to be used to restore that office block for use by homeless families. It was all raised on the private market by a progressive relationship between the housing association, the local authority and the developers, Belway Homes—a first-rate developer with a good track record in that area.

The project was arranged, the foundation stone laid and work began—but then what happened? The association—*[Interruption.]* The Secretary of State has returned to the Chamber. We must talk some more about homelessness. We must not lose the opportunity to talk about the homeless, the homeless, the homeless, the homeless. We are talking about the homeless and we shall continue to talk about the homeless——

Mr. Winnick: Let us vote on it.

Mr. Boateng: No, give Jack his jacket and let us engage in an exercise that raised the right hon. Gentleman's consciousness on this issue. What happened to that innovative project to help the homeless, that partnership between the City of London, the local authority and the housing association? The right hon. Gentleman gets to his feet one day and, in another exercise in local authority bashing, changes the rules yet again. Despite the fact that all the money for the project was raised from private investment—something that usually meets with the Government's approval—we have been told that the development at Middlesex house will count against Brent's capital allocation for housing.

The question that I have put in writing to both the Secretary of State and the Under-Secretary, and to which I still await an answer, is whether the Department of the Environment intends to exempt that project from the impact of the Secretary of State's announcement. If we do not receive that assurance we will have cast-iron proof, if

[Mr. Boateng]

proof be needed, that the amendments are an absolute sham and that there is no real intention to enable local authorities and housing associations——

Mr. Martin Redmond (Don Valley): Does my hon. Friend agree that the plight of the homeless is of major concern to the Opposition? If the Secretary of State had not objected to certain planning applications, a fair number of homeless people would have been housed by the builder who wanted to build adjacent to the Secretary of State's house.

Mr. Boateng: It is almost as though the Secretary of State had invented the NIMBY principle—not in my backyard. There is no doubt that the proper and judicious application of his planning power could enormously assist in combating homelessness.

If we do not receive an assurance about the Middlesex house project and the difficult position in which Brent now finds itself, we will find it difficult to take at all seriously the Under-Secretary's assurances about the ostensible purpose of amendments Nos. 1 and 4.

Mr. Winnick: Since the Secretary of State is here and much of the debate arising from the amendments has, understandably, been about homelessness, does my hon. Friend know whether the Secretary of State has visited any bread-and-breakfast hostels in his borough or the homeless anywhere else, including those who spend the night on the Embankment, whether covered or uncovered? If the Secretary of State has not, does that not demonstrate once again that he is callously indifferent to the sufferings of those who so concern Labour Members?

6.30 pm

Mr. Boateng: One wishes that the Secretary of State would emulate Mother Teresa in that respect. She took time off from the streets of Calcutta to visit the homeless on the streets of London. One hopes that the Secretary of State will do the same, but I fear that around the Secretary of State there clings not so much the odour of sanctity as the odour of sulphur. To believe for a moment that he is likely to come to Brent or elsewhere to visit the homeless stretches credibility to an extent that would reduce to credibility even the Chancellor of the Exchequer's explanations about how he came to be so seriously misquoted in the Sunday newspapers.

Mr. Rhodri Morgan (Cardiff, West): My hon. Friend's comments may be wholly inaccurate. The short absence of the Secretary of State a few minutes ago may have been so that he could go along the Embankment to Charing Cross to answer our pleas that he should familiarise himself with the problems of the homeless. However, I understand that in reality he went home to water all the little nuclear power stations he has coming up in his garden.

Mr. Boateng: A likely story. One suspects that it is for a quick fix of environmentally safe nicotine that the Secretary of State departs the Chamber. One does not want to speculate why any hon. Member leaves the Chamber, but in the Secretary of State's case we have our suspicions.

I am anxious to encourage the Secretary of State and the Under-Secretary of State to give us some assurances tonight about the relevance and impact of the Audit Commission's findings on homelessness and the role of local authorities on amendments Nos. 1 and 4. We know that the report has yet to be published. Is it not strange how many important reports these days remain unpublished and that whenever there are constructive suggestions which may embarrass Conservative Members the report remains unpublished?

We know that the Audit Commission commissioned a report on the responsibilities of housing associations to the homeless. The Under-Secretary of State purports to be concerned about that. The report highlights a growing shortage of homes for rent in both the public and private sectors as the main cause of homelessness rather than the Department of the Environment's view that it is the increasing demand for homes. That may be why the report has never seen the light of day, and I do not think that we are being entirely uncharitable, are we, Mr. Deputy Speaker?

Will the Minister consider whether the Audit Commission makes a valid point when it suggests that housing associations should play a greater role in housing the homeless? If that role is to be fulfilled, the matters which amendments Nos. 1 and 4 purport to be concerned with and the subsidies available to local authorities and housing associations for that purpose must be considered.

Mr. McCartney: I note that the hon. and learned Member for Burton (Mr. Lawrence) has come into the Chamber. Recently he wrote to the Secretary of State pleading with him not to build new homes in his constituency in case they affected his Conservative majority. Given the hon. and learned Gentleman's serious attitude towards building homes in his constituency, perhaps he will stay and give us his views on how he will solve homelessness, at least in his constituency.

Mr. Boateng: It would be interesting to hear what the hon. and learned Gentleman has to say about that, but I suspect that we may not get a response, let alone a satisfactory one.

We need to know from the Under-Secretary whether he recognises the need for the Department of the Environment to consider means of enabling authorities to continue developing leasing arrangements with housing associations and the private sector. What steps does he intend to take to give force to the recommendations of the Audit Commission and when will he publish its findings? We await the Minister's response to that and to the important questions that we have asked him.

Mr. John Fraser (Norwood): I wish to raise with the Minister a limited point on amendment No. 166.

Amendment No. 166 amends paragraph 12(1)(h) of schedule 1 to change the definition of a mutual housing association. The amendment removes the cross-reference to the definition of a fully mutual housing association which is contained in part I of the Housing Associations Act 1985. In that Act a distinction is drawn between a fully mutual housing association, which does not have to be registered under the Industrial and Provident Societies Act 1965, and a co-operative housing association, which is a fully mutual co-operative but must be registered under the Industrial and Provident Societies Act 1965.

The difference is that, in section 15(3) of the Rent Act 1977, a tenancy which is created by a registered housing association—one which is registered under the 1965 Act —is not a protected tenancy for the purposes of the 1977

Act. If, on the other hand, the co-operative is not registered under the Industrial and Provident Societies Act, the tenancies will be protected. The significance of that is that under this Bill it will not be possible to create a new protected tenancy. When the Bill becomes law, there will be no more protected tenancies. A tenant will have the protection only of an assured tenancy.

It is true that, even now, a tenancy granted by a co-operative housing association, which is registered under the 1965 Act and with the Housing Corporation, will not be secure. Although the tenants are neither protected nor secure, they have the protection of the overall monitoring and supervision of the Housing Corporation and the detailed protection which exists from membership of an industrial and provident society which is registered under the 1965 Act. If there is oppression, it is possible to make a complaint to the registrar. Thus, if a tenant of a co-operative that is not a secure tenancy made a complaint, the registrar could investigate and the tenant would be afforded some protection as a result of those rights.

The consequence of the amendments is that, in future, a fully mutual association not incorporated under the 1965 Act will not be capable of creating a protected tenancy or, by virtue of paragraph 12(1)(h) of schedule 1, of creating an assured tenancy. Therefore, a tenant of an unincorporated mutual housing association would have no protection under the Rent Act 1977 or the assured tenancy provisions. That is going too far, and I wonder whether the Minister has made a mistake in the definition of a fully mutual housing association. It is difficult to understand the definition of property given in part I of the Housing Associations Act 1985. I ask the Minister to study that and say that, if necessary, there will be further revisions to the Lords amendments to make it clear that the only exemption from assured tenancies will be those granted by co-operatives registered under the Industrial and Provident Societies Act 1965.

Mr. Tony Banks (Newham, North-West): Amendment No. 1 anables housing associations to create temporary lettings for homeless families, especially where it has been decided that they have made themselves intentionally homeless. We clearly welcome the amendment.

I did not intend to speak until the hon. Member for Mid-Staffordshire (Mr. Heddle) made a peculiarly insensitive intervention, which is in character, but as he is not present I shall not be ruder than that.

The hon. Member for Mid-Staffordshire suggested that the noble Earl of Caithness appreciated the plight of the homeless. I shall not disparage the noble Earl of Caithness because I do not know him and he does not know me. If he visited my advice surgery on a Friday evening, his eyes would be widened in alarm, despair and despondency at the nature of the problems that we face in the east end. The Under-Secretary must understand that Labour Members feel strongly about these problems because it is mainly in our constituencies that they are so concentrated. I should dearly like the Secretary of State to visit my advice surgery, as I have said on a number of occasions. I dealt with 30 housing cases last Friday, with which neither I, housing associations nor the council could deal.

An enormous crisis is developing in London, but the Government are oblivious to it. I do not know whether that is intentional or accidental, but the Secretary of State must experience at first hand what is happening in our capital city and other cities throughout the country.

The hon. Member for Pembroke (Mr. Bennett) mentioned people who intentionally make themselves homeless and young women who become pregnant intentionally to obtain accommodation through the local authority. That happens, and it is the mark of people's despair. Young women think that if they become pregnant they will enhance and improve their chances of being housed by the council. They are sadly mistaken in their action, but it shows how desperate some people are becoming. Regularly, 17 and 18-year-old women with one or two children visit my advice surgery and say, "We have been put in bed-and-breakfast accommodation, but we thought we would get a council flat. They have put us in Westminster, central London or Romford. We are away from the schools and our family. What can we do?" All that I can do is to console them. One feels powerless and angry about the problems created by Government intransigence and by their not allowing local authorities sufficient funds to build the accommodation that is so desperately needed. It is ludicrous that it costs far more to keep a family in bed-and-breakfast accommodation than it does for the local authority to provide accommodation. That is the economics of the madhouse and the social fact of Thatcherism.

6.45 pm

Young women are becoming desperate and think that if they get pregnant they will obtain council accommodation. The Minister knows that that is not so, as do we. Before Conservative Members condemn them, throw their hands in the air and say, "It is their fault and responsibility," they should reflect on their problems—in between laughing. I am sure that this is a humorous aspect of the debate to Conservative Members. The hon. Member for Sheffield, Hallam (Mr. Patnick) nods his head. If the hon. Gentleman thinks that it is humorous, there is something wrong with his sense of humour. It seems peculiarly perverted and sick. If he came to my advice surgery, he could see how desperate people are becoming.

Mr. Irvine Patnick (Sheffield, Hallam): I was interested in the conversation that was taking place here

Mr. Battle: Have it outside, not in here.

Mr. Patnick: I do not need any advice from the hon. Member for Leeds, West (Mr. Battle).

Mr. Banks: It would be helpful if the hon. Member for Hallam listened. On Second Reading debate of the Rate Support Grants Bill, he showed himself to be very interested in the affairs of the London borough of Newham. We were grateful for his interest, but rather bemused about why he should be so interested. We welcome the interest of Conservative Members as long as they draw lessons from it. The lesson to be drawn from having an interest in the London borough of Newham is the enormous housing crises that it is experiencing.

I hope that, unlike the Secretary of State, the Under-Secretary will accept my invitation to visit my Friday night advice surgery. I realise that he probably has his own surgery, so I shall reciprocate by visiting his and giving him the benefit of my advice. If he does not want to accept my reciprocal offer, will he please come to Newham and see at first hand what is going on?

Mr. Trippier: With the leave of the House. It is nothing short of a tragedy that every time the hon. Member for Southwark and Bermondsey (Mr. Hughes) addresses the House he devalues the currency of his contribution by making personal remarks about people inside the Chamber or, on this occasion, outside it. Unlike the hon. Member for Brent, South (Mr. Boateng), he is not funny.

I point out to the hon. Member for Southwark and Bermondsey, who made allegations against my noble Friend the Minister for Housing, Environment and Countryside that there are three Ministers responsible for housing in the Department of the Environment—my right hon. Friend the Secretary of State, my noble Friend the Minister for Housing, Environment and Countryside and myself. It is rich that the allegation was made by a member of the Social and Liberal Democratic party. Each hon. Member of that party, because of its paucity of Members, has at least 27 subjects or responsibilities to cover.

Mr. Simon Hughes: The Minister is trying to answer a valid point with an invalid one. On his own notepaper, the noble Earl of Caithness is described as the "Minister for Housing". If the Minister informed himself about my party and our disposition, he would know that we each shadow a Department. This is the end of the Session; I am finishing off the Bill because I started it. I shall then hand over to one person who will shadow the Minister and his colleagues. The work load when one person shadows seven is enormous, but we manage pretty well.

Mr. Trippier: That is a matter of conjecture, not a statement of fact. I was merely making the point that I should have thought that it was worth one member of the hon. Gentleman's party concentrating solely on housing. At least we have three who are working at it.

The hon. Member for Hammersmith (Mr. Soley) asked whether the amendments cover private landlords, not merely housing associations. The answer is in the affirmative. There is nothing sinister in believing that there is an important role for private landlords in helping local authorities to discharge their homelessness functions. The amendments will make that possible.

The hon. Member for Leeds, West (Mr. Battle) referred to mortgage repossessions as a percentage of the total number of mortgages granted. The figure remains small. There was a rise in the proportion of building society borrowers in arrears from 0·8 per cent. at the end of 1986 to 0·85 per cent. at the end of 1987, but that was still lower than the June 1987 figure of 0·97 per cent.

Mr. Battle *rose*——

Mr. Trippier: I should be grateful if the hon. Gentleman would allow me to continue. A number of Opposition Members went wide of the specific amendments. I should like to draw hon. Members' attention to the specific amendments, which refer to temporary, not permanent, accommodation.

The Department is looking closely at arrangements for transfer to ensure that councils recognise their continuing obligations to secure permanent accommodation for the homeless. The amendments relate solely to temporary accommodation. We will have an opportunity on Friday to debate these matters in detail. We have already received four reports of significance on this subject while reviewing it and we expect another two, one of which came from the Audit Commission, as the hon. Member for Brent, South suggested.

Mr. Simon Hughes: Will the hon. Gentleman release details of his Department's report on homelessness, which I understand has been completed but has not yet been made publicly available, either in time for Friday's debate —that is obviously important—or, at the latest, in time for the beginning of the new Session, before any legislation is announced in the Gracious Speech?

Mr. Trippier: I can meet the latter point but not the former. We intend to publish that report.

I return to a specific suggestion made by the Audit Commission on homelessness, to which the hon. Member for Brent, South referred fleetingly. It has been suggested that we may not wish to see local authorities fulfilling their statutory obligations towards homelessness. Nothing could be further from the truth. We have no evidence that any authorities are in any way not fulfilling their statutory obligations. There is evidence via the *Observer* article last Sunday that there are a variety of diferent approaches to the way that local authorities deal with homelessness. That is of great concern to me and is looming large in the review before the Department. We must introduce more consistent procedures, and our review will consider that.

The hon. Member for Halifax (Mrs. Mahon) made a preposterous suggestion that the Government intended somehow to privatise the homeless. Local authorities cannot delegate their statutory functions. Local authorities will remain responsible for securing permanent accommodation for the homeless. Much of the thrust of the Bill is to concentrate greater attention on the private sector and specifically more on housing associations. The Government believe that the development of the housing association movement—making houses available to those on lower incomes—will allow local authorities to concentrate much more on homelessness. I do not think that that is a matter of dispute between the two sides of the House.

Mrs. Mahon: The report from the Department of the Environment, "Large-scale Voluntary Transfers of Local Authority Housing to Private Bodies", which refers to a local housing authority's duty under section 39 of the Land Compensation Act 1973 and section 28 of the Rent (Agriculture) Act 1976, states:

> "This might be done by entering into contracts with landlords in the area (which might well include the purchasers of the council stock) to provide the necessary accommodation. Similar arrangements would also be acceptable in relation to housing adapted for disabled people or those with special needs."

Does the Minister agree with that?

Mr. Trippier: The point to which I was trying to draw the attention of the House was that local authorities are hardly, if ever, criticised by the Opposition for not dealing with the problems of the homeless. It would be ludicrous for me to suggest that all local authorities can be criticised in a general way. The Opposition must accept, if not publicly then privately, that there is a correlation between the number of empty properties, or voids, within a local authority area and the number of people who are homeless.

Ms. Dawn Primarolo (Bristol, South): That is not true.

Mr. Trippier: I did not say "direct" correlation; there must be some correlation. It would be unacceptable for the Opposition to believe that the local authorities must improve the management of the housing stock and turn round the empties within a shorter time to create a number of homes which would then come back on to the market. The Audit Commission said exactly that. It said that if empties were turned around within three weeks—the experience in London is more in line with 11 weeks—it would bring 20,000 net houses back on to the market.

Mr. McCartney: I am grateful to the Under-Secretary of State for visiting my constituency and the housing estate on which I live. The hon. Gentleman came across a problem which is the direct opposite of his suggestion. It was an estate which had been refurbished using public sector money and local authority expenditure, and which had new roofs, new heating systems and a new security system. That estate has been boarded up and it may be pulled down. Those refurbished flats cannot find lets. Young homeless people cannot afford the rents because of the changes in housing benefit regulations. Only a fortnight ago the Minister recognised that problem and agreed to come back to me with suggestions on how to deal with it.

Mr. Trippier: When I agreed to go back—I am prepared to go back to the hon. Gentleman's constituency—it was with a view to the local housing authority taking steps to direct refurbishment more specifically to the needs of those people who need the houses, whether they are homeless or not.

Mr. Boateng *rose*——

Mr. Trippier: I should like to proceed, because I have given way a number of times and am anxious that we should come to the end of our consideration of the Lords amendments.

It is strange if the Opposition do not accept the correlation between the number of empties, the speed of turnround and the number of homeless. It may sound dramatic, but if I were to say that empty council homes mock the overcrowded and the homeless, quite a number of Opposition Members would agree. If I were to say that council homes are empty through inefficiency, I should have thought that the Opposition would be prepared to accept that, but many do not. The hon. Member for Brent, South does not, so let me deal with him.

I have a statement which was made by the Labour chairman of the Hackney housing services committee, Councillor Brynley Heaven, who admits that council homes are empty through inefficiency. He continues:

"Nothing is more important for a housing service than to make the best possible use of all its stock. If we can't show that we are using the homes we already have properly and efficiently, very few people are going to take our case for public investment seriously."

I could not have put it better myself.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Has the Minister finished his speech?

Mr. Trippier: Yes.

Mr. Deputy Speaker: Does the hon. Member for Hammersmith (Mr. Soley) have the leave of the House to speak again?

Hon. Members: Yes.

7 pm

Mr. Soley: With the leave of the House, Mr. Deputy Speaker, may I say that I had no intention of speaking again until I heard the Minister's appalling speech. If he carries on in this way, he will go the same way as his two predecessors. He did not even begin to answer the debate, which is about the law. It is not about the subject that will be debated on Friday. The debate on Friday about homelessness will not change the law. The questions that we put to the Minister related to changes in the law, but he totally ignored them.

The question is not about empty council houses. Every local authority agrees that there is an element of inefficiency in its organisation, just as there is an element of inefficiency in housing associations, but, on the whole, both local authorities and housing associations are efficient. At any one time, only about 2·5 per cent. of their properties are standing empty. All local authorities and housing associations accept that a small element of the 2·5 per cent. of properties standing empty is due to inefficiency; the percentage will differ from one local authority or housing association to another. However, when the Minister suddenly changed the topic, he did not tell us that no less than 5·9 per cent. of Government-owned properties are standing empty.

Mr. Trippier *rose*——

Mr. Soley: Sit down for a moment.

One in five of all Metropolitan police houses are standing empty. No fewer than 60 to 70 flats at Wormwood Scrubs are standing empty. They have been empty for nine years. Victorian houses with gardens and three, four or five bedrooms as well as flats that belong to the Home Office are to be bulldozed—for what? A car park and landscaping.

Mr. Trippier: Will the hon. Gentleman give way?

Mr. Soley: No. The Minister will not open his ears to the problem. When his predecessor, the hon. Member for Broxbourne (Mrs. Roe), went to Southend, which has a Conservative-controlled council, she was told that, because of the Government's economic policies, Southend could not cope with its homelessness. Local authority after local authority, both Tory and Labour, has said the same to him.

I am not interested in having that argument now; we can have it on Friday. It will be a good opportunity to debate it. If the Minister wants to deal with it, he can deal with it then, but the House wants an answer to this debate.

Mr. Trippier *rose*——

Mr. Soley: I shall give way now to the Minister. I hope that he will deal with some of the issues that have been raised in the debate.

Mr. Trippier: The truth is that it was not I who changed the topic. The hon. Friends of the hon Member for Hammersmith (Mr. Soley) changed the topic. They used the debate to ask questions about homelessness. I dealt with the hon. Gentleman's question in the first minute of answering the debate, but he was not prepared to listen. He was talking to his hon. Friends.

Mr. Soley: The Minister did not answer my questions. I was listening to him. All he did was answer the first point. In case he does not understand the amendment, as I suspect he does not, may I say that we are looking at Lords amendment No. 4. The Minister did not answer the questions that we asked about that amendment. He just talked about temporary accommodation. He got into difficulties when he answered my hon. Friend the Member for Halifax (Mrs. Mahon). When he said that this has got nothing to do with privatisation, my hon. Friend rightly intervened. All of us have received information from the Department of the Environment; it implies that it is acceptable for local authorities to enter into contracts with private landlords. What does that mean if it does not mean privatising the homeless?

Mr. Trippier *rose*——

Mr. Soley: Before the Minister gets agitated again, let him listen to the problem so that he can begin to answer it. If a local authority is left with no housing, having transferred all of it under the existing or the proposed legislation, it still has a duty under the Housing (Homeless Persons) Act 1977 to house the homeless. That is agreed, although there may be arguments about whether the Minister intends to abandon that Act or to undermine it——

Mr. Trippier: Will the hon. Gentleman give way?

Mr. Soley: No; the Minister must listen; he is not even listening properly. *[Interruption.]* I am sure that Mr. Deputy Speaker is listening properly, but the Minister is not listening properly.

If a landlord is the only landlord in the area who is willing to take the homeless and he keeps them in his accommodation for too long, he will then, as a result of the amendment, be under certain legal obligations that he will seek to avoid. Our questions to the Minister dealt with what would happen then to the homeless. Will they be moved to another landlord, and what will they do if there is no other landlord? Will they be given back to the local authority, and what will the local authority do with them if it does not have accommodation for the homeless? What will happen if a local authority, either deliberately or by chance because the landlord does not realise it, allows a family to stay in the accommodation for longer than the period provided for in the amendment?

The Minister did not address those questions. The nearest he came to it was to say that this was only a temporary problem, but that is not the point. The problem is what will happen when a council puts homeless people into accommodation, the landlord says that they will have to leave and there is no alternative accommodation for them.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Does the Minister seek the leave of the House to speak again?

Mr. Trippier: The hypothetical situation that the hon. Gentleman described could arise, but in the discussions to date, with local authorities wishing to transfer all their stock and housing associations proposing to take over that stock, willingness has been expressed to provide nomination rights to local authorities specifically to house homeless applicants. That willingness would be built into their contractual arrangements.

Mr. Keith Bradley (Manchester, Withington): The House is being treated with contempt by the Government. During the last few months there have been ministerial changes, procrastination and concessions that were then removed. Tonight a new Under-Secretary of State is not prepared to tell the House what is to happen to thousands of homeless people. It is not good enough for him to say that the Government are discussing with the new landlords the nomination rights that may be agreed between the various parties. We are referring to statutory rights and duties under the law to protect thousands of homeless people.

This Minister comes from the north-west. I invite him to come to Manchester and—*[Interruption.]* If the hon. Member for Pembroke (Mr. Bennett) wants to intervene, he should stand up. His comments on the Bill were a disgrace. If the hon. Gentleman wants to intervene and make a relevant contribution, he should stand up and I would then give way.

Again we ask the Under-Secretary of State to take point by point the questions that have been asked about amendments Nos. 1 and 4 to the Housing Bill. During the last two hours my hon. Friends have asked question after question about its implications. When we have attended public meetings and have met tenant groups, people have scoffed at the way in which this Government have said not one word about the homeless and what is to happen to them.

When, eventually, we pin the Government down to discuss homelessness, the Minister will not answer the questions. We need to know what will happen to people in bed-and-breakfast accommodation at the end of the contract. Will the Minister tell us, and local authorities that have made arrangements with private landlords, what will happen to homeless people at the end of the contract? Will they be moved on and on statutorily from private landlord to private landlord? Are the Government creating an army of homeless people?

Will the Minister have a chat with the Minister of State and give us the answers to the questions that we have asked during the past two hours?

Question put and agreed to.

Lords amendments Nos. 2 to 5 agreed to.

Clause 5

SECURITY OF TENURE

Lords amendment: No. 6, in page 3, line 41, at end insert—

"and, accordingly, the service by the landlord of a notice to quit shall be of no effect in relation to a periodic assured tenancy"

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment—*[Mr. Trippier.]*

Mr. Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 8 to 10 and 169.

Mr. Battle: I know that Lords amendment No. 6 is a clarifying amendment, but it would mean that a landlord will need a court order to—*[Interruption.]*

Ms. Primarolo: On a point of order, Mr. Deputy Speaker. Is it possible to have two debates in the Chamber at the same time? I cannot hear my hon. Friend.

Mr. Deputy Speaker: The hon. Lady is quite right. Will hon. Members who are not taking part please retire from the Chamber.

Mr. Battle: The amendment would——

Mr. Deputy Speaker: Order. Will hon. Members who are not taking part in the debate please either cease speaking or withdraw from the Chamber?

Mr. Battle: If Lords amendment No. 6 is accepted, a landlord will need a court order to bring an assured periodic tenancy to an end and the notice to quit method will become irrelevant. I should like the Minister to confirm that, rather than merely to move the amendment formally, as there is an assumption that any applicant for a court order will need to have that action preceded by a notice of proceedings for possession. I assume that that principle will be underlined and not undermined. It is a small point, but what I have suggested should be confirmed so that people know where they stand.

A more serious issue is at stake in Lords amendment No. 8. As the Bill stands, clause 7 ties possession action to grounds for possession. The amendment would break that tie for mortgagees—building societies and banks. It appears that a mortgagee would have an arbitrary right to possession. If the tie is broken, institutional privilege will be built into the Bill, as the county court will be able only to suspend the order to give the occupier time to pay by instalments.

There is an important principle at stake. Should mortgagees have special treatment and not have to abide by the general rule? Why are mortgagees being exempted from the general rule? Possession should be linked to grounds for possession. We have had enough rows about grounds for possession and the changes in those grounds, but I hope that the Minister will be prepared to say that he will look into the matter because possession in these circumstances means eviction.

The Minister thought that I spoke about evicted mortgagors earlier, but I did not. He may have mistaken my constituency. I posed questions about the statutory responsibilities of local authorities. I hope that the Minister will consider this matter, as evicted mortgagors represent a high and increasing number of households accepted by local authorities as homeless.

7.15 pm

Will the Minister give us an undertaking that mortgage possession grounds cannot be used by business expansion scheme shareholders? We all know that the Budget enabled people to get up £500,000 by setting up a business expansion scheme in private rented property. Will BES shareholders be able to use the clause to get round grounds for possession? The Minister owes it to the House to make that absolutely plain. Will he confirm that BES shareholders will not be classed as mortgagees?

When speaking about Lords amendment No. 10, the Minister in another place said that the issue would be dealt with by regulation. I would like the Minister to repeat that pledge. As he cannot bring it upon himself to make such provision through a clause in the Bill, will he confirm that regulations will cover the point? If not, we are acting in the dark as we are being asked to support proposals whose impact we do not know.

Lords amendment No. 169 ensures that landlords cannot use ground 6 to evict a tenant when the tenant was not aware that development was a possibility when he or she took on the tenancy. Members of the Committee will remember that ground 6 changes a discretionary provision into a mandatory one. If a landlord intends to redevelop a property—it might be a flat or a room—the landlord can use the ground to get the tenant out.

We argued in Committee, it was argued in another place and we still argue, that ground 6 is crucial as it provides far wider scope for people to be evicted than does the Bill. It has been generally accepted in landlord and tenant legislation that if a landlord wishes to seek possession on mandatory grounds, the tenant must have been told that that was a possibility when he or she took on the tenancy. It is crucial that we do not break with that practice. We must ensure that tenants do not lose rights.

Grounds 1 to 5—the other non-fault grounds—require the landlord to ensure that the tenant knows about the possibility of eviction when he or she takes up a tenancy. Ground 6 is the exception. There is no justification for treating it as a special case. The Minister in another place said of landlords that they can use ground 6 only in respect of new tenants who knew that development was a possibility when they took on the tenancies:

> "A landlord who buys a property may not know what his long-term intentions are. It may be clear that there are development possibilities, or it may be an extremely remote prospect. A new tenant who takes on an assured tenancy takes it on against this background. It is one of the grounds for repossession which could be used in certain circumstances. A tenant will make his own assessment of the likelihood of its being used and he can be confident that it cannot be used if there is a possibility of doing the development work around him."—[*Official Report, House of Lords*, 3 November 1988; Vol. 501, c. 402-3.]

As I cannot question the Earl of Caithness, I ask the Under-Secretary of State to explain how the tenant can have such knowledge in advance. The Earl argued that it is a factor that tenants should take into consideration when considering whether to accept a tenancy, but many take up a tenancy as a result of seeing an advertisement in a newspaper or corner shop window. There is no legal document or legal arrangement. The prospective tenant sees the advertisement and often finds himself knocking on a door during the evening to discuss with the landlord the terms and conditions. The prospective tenant does not arrange for a survey to be prepared and he will not be concerned with the development potential of the flat into which he wishes to move.

If landlords are able to go to court to obtain possession on development grounds, they will have a powerful instrument with which to evict tenants whom they want to get out of their property. These matters are important and the amendment should not be accepted on the nod. I hope that the Minister will take the opportunity to assure tenants that ground 6 will not be an instrument of eviction.

Mr. MacCartney: In my constituency an elderly lady was almost persuaded to leave the house in which she had been living for over 20 years on the ground that the landlord wished to redevelop and improve the property. He began to threaten her when he called for the rent the following week. I found that a planning application had been submitted as the landlord wished to convert the property into a hairdressing shop, and I contacted the local authority's housing aid centre. The lady would have been removed from the property because of the landlord's wish to convert it into commercial premises and to create homelessness. It seems that unscrupulous landlords will be

[Mr. MacCartney]

in an even stronger position when they come to deal with elderly ladies, for example. They will be able to winkle them out of their property for reasons other than providing homes for the homeless.

Mr. Battle: I am grateful to my hon. Friend for making that intervention. He is saying that landlords could use ground 6 to drive a coach and horses through any justice for tenants. Landlords could gain access to property by the unjustifiable use of the redevelopment ground. I ask the Minister to accept that there should be inserted in the Bill the principle of natural justice. We should make it plain that the redevelopment clause cannot be brought into play after the tenancy has started. It is clear that ground 6 could be used by a landlord as an excuse to get someone out of his property.

The Earl of Caithness said:

"The problem lies in trying to draft a provision which is sufficiently comprehensive to cover all the options."

I submit that the Minister has a responsibility to ensure that the Bill covers all the options. Tenants should not be left in a position of extreme vulnerability. Lord Caithness added:

"It is in the nature of shady organisations that if you leave a loophole they will find it."—[*Official Report, House of Lords*, 3 November 1988; Vol. 501, c. 404.]

I hope that the Minister will reassure us that ground 6 will not provide a giant loophole through which unscrupulous landlords—I do not mean all landlords—will drive a coach and horses. I concede that properties might be improved, but the improvements will be made at the expense of the tenants who are thrown out of their homes. Landlords will then bring in other tenants, who will be charged higher rents. In such circumstances, landlords will benefit and tenants will lose. In other instances I shall be interested to see whether the redevelopment takes place.

I invite the Minister to respond to the detailed issues which I have raised, instead of seeking to nod through the amendment formally.

Mr. Simon Hughes: The hon. Member for Leeds, West (Mr. Battle) is right to be concerned, especially about Lords amendment No. 169, to which I shall direct my remarks. Ground 6 of schedule 2 is a mandatory ground for possession. It sets out the circumstances in which a landlord can gain possession. It refers to a landlord who

"intends to demolish or reconstruct . . . or to carry out substantial works"

within the property. One of the conditions is that it must be impossible to do that work with the tenant in occupation.

I am in the fortunate position of being one step ahead of the hon. Member for Leeds, West. Since 3 March, when the issue was raised by me in Committee—at that time the hon. Member for Bristol, West (Mr. Waldegrave) was the Minister for Housing and Planning—I have been pursuing an obvious constituency concern. The Minister gave what I consider to be an unsatisfactory reply. The House will be aware that I represent a constituency in which the opportunity for development at great profit is now enormous, especially along the river. I raised the horrendous prospect that new landlords who took over council property under the provisions in part IV might be able to evict tenants by the use of ground 6, which is mandatory.

The Minister was more than dismissive of my concern. He said:

"The hon. Member for Southwark and Bermondsey made my flesh creep by mentioning the terrifying prospect of developers redeveloping a flat and . . . using ground 7"—

which is now ground 6—

"to turn people out. Fortunately, if we read schedule 2 we will see that that cannot happen when a person has paid a consideration for the reversion of tenancy. Therefore, that spectre need not be raised."—[*Official Report, Standing Committee G*; 3 March 1988, c. 1358.]

Mr. Deputy Speaker: Order. I remind hon. Members that they should not pass between an hon. Member who is on his feet and the Chair.

Mr. Hughes: I am grateful, Mr. Deputy Speaker.

I pursued the matter by telephone with the Department over the summer. As I did not receive a reply, I wrote to the newly appointed Minister on 3 November. The Under-Secretary of State will be aware that I am grateful for the reply which I received from Lord Caithness yesterday. First, his reply confirms that I was right to be concerned. It seems that there is a possibility—I do not want to be more alarmist than that—that a legal interpretation could confirm that tenants could be evicted. I refer to the advice which has been given, as I understand it, to Ministers.

The advice continues:

"We have looked further at an argument which could affect the picture. This is whether it might in some cases be possible to argue that where, as a result of the consultation procedures, a contract existed between a landlord and tenant prior to transfer, providing for tenancy terms different in major respects from those of the preceding secure tenancy, a court might regard it as a new tenancy taking effect in equity immediately upon acquisition. Our legal advice is that the court would be likely to hold that the tenant was occupying by virtue of the old tenancy rather than a new tenancy in such circumstances. Should a court take the opposite view, however, ground 6 would in principle be available because, on that interpretation, the landlord's interest would have been acquired before the grant of the tenancy."

To say the least, the legality of the relevant provisions is uncertain. It can be said with justification that the provision could be used by unprincipled or profiteering landlords to evict tenants in the interests of redevelopment. That would be the position of those who had moved in after the property had been taken over. The tenants who transferred to the new landlord might all move or might all be asked to move. They might be replaced by new tenants. On any interpretation, they will have been granted new tenancies since the landlord acquired his interest in the dwelling house.

There is every reason to raise a spectre of eviction for present council tenants. In an area such as my constituency, accommodation that is now owned by the council could be bought at low cost and redeveloped as luxury accommodation. That would fail entirely to meet the needs of tenants. The redeveloped property would be outside the price range of the people who live in the property now.

I hope that the Under-Secretary of State and the Secretary of State will accept that there is enormous anxiety in areas close to city centres, in areas that have been developed, particularly in London where house prices have shot through the roof and land prices have escalated enormously, that such housing would be of interest to landlords who wished to redevelop it for up-market renting or for sale at the earliest opportunity. I was

grateful to hear that the Minister for Housing, Environment and Countryside accepted that anxiety and so was willing to give some undertakings through the Under-Secretary to the House.

7.30 pm

The Minister, in his reply to me dated 8 November, said:

"I am happy to give you an assurance that we shall discuss with the Housing Corporation ways of ensuring through their use of undertakings attached to Tenants' Choice applicants' approvals that applicants will be required not to use the Ground even should the Courts rule that it was in principle available."

That is a clarification and a concession, and it is a substantial improvement.

First, will the Under-Secretary confirm that the Department of the Environment will ensure that the Housing Corporation makes that requirement in relation to tenants who are resident at the time of transfer and remain in properties and where all tenants are new since transfer? Secondly, will the Minister allay the substantial fears that exist which have in no way been inflamed by any comments that I have made? I have sought to explain that I was seeking clarification, that the Minister had assured me that there was no risk but that, since that did not appear certain to me as a matter of law, I would pursue the matter with the Department of the Environment.

Will the Minister allay the fears of many elderly and low-income tenants that any tenants'-choice-acquiring landlord will never be able to use that ground in any circumstances whatever? We need that assurance. It must be categorical. If it can be given, that will be a substantial improvement in an area about which tenants have been enormously worried.

Mr. Trippier: I am sure that the hon. Member for Southwark and Bermondsey (Mr. Hughes) accepts entirely from me that that was the sole intention in framing the legislation. There was one part that the hon. Gentleman missed out—I know, not intentionally—of the letter sent to him by my noble Friend the Minister for Housing, Environment and Countryside that I must stress and put on the record. We were satisfied that if the matter were taken to the courts they would uphold the decision. The difficulty on which the hon. Gentleman has focused is that there is no absolute legal certainty in the matter. Therefore, we are attaching belt and braces to this matter and I can give him the latter assurance that he sought.

The hon. Member for Leeds, West (Mr. Battle) asked several detailed questions. The House will know that the amendments deal with the serving of notice to bring a tenancy to an end and the grounds on which possession may be sought.

Amendment No. 6 clarifies clause 5 and provides that a landlord may only bring an assured tenancy to an end by obtaining a court order. The amendment makes it clear that a separate notice to quit is not needed and that if it were served it would not bring the tenancy to an end.

Amendment No. 8, which is a technical amendment, provides that where an assured tenant has mortgaged his tenancy, as could happen with a shared ownership lease for example, and defaults on his mortgage, the provisions of part I will not affect the right of the mortgagee to repossession of the property.

Amendment No. 9 is a consequential amendment following the change made to the suitable alternative accommodation ground for possession. When the ground was switched from part I to part II of schedule 2 as a consequence of representations by Opposition Members, the court was inadvertently given power to order possession under that ground during the course of a fixed-term tenancy. That would be inequitable, and the amendment puts the position right.

Amendment No. 10 makes it a requirement that the particulars of the ground on which the landlord is seeking possession should be set out in the notice. It was always our intention that the particulars should be set out in full in the prescribed form, but, again following Opposition concern in another place, the amendment makes it plain that that will be the case. It responds to those overtures.

Mr. Battle: Will the Minister make it plain, because it is not clear from his reply, whether business expansion scheme shareholders will be exempt from the grounds for possession? Will they have the mortgagee's privilege of bypassing the grounds for possession?

Mr. Trippier: I do not know whether the hon. Gentleman understands the business expansion scheme, but the shareholders in that scheme are far back from those who are proposed landlords. The hon. Gentleman may not understand how the BES works. I do not say that in any way discourteously.

I do not regard the point raised by the hon. Gentleman as a problem. The assurance that he seeks with regard to shareholders is not relevant. I thought that the hon. Gentleman was talking about a landlord. A landlord of a tenancy under the business expansion scheme will have to obtain possession in the normal way. The shareholders are far back. Many individuals will be investing money, as the hon. Gentleman probably understands. Therefore, the matter does not arise. We are talking about literally hundreds of people.

Amendment No. 169 relates to the development ground for possession—ground 6. The ground does not apply where the landlord has purchased the property with a sitting tenant. if that sitting tenant were a Rent Act tenant, there could be an assured tenancy by succession stemming from that tenancy.

Amendments Nos. 6, 8, 9 and 10 are useful clarificatory or technical amendments and, as I have said, amendment No. 169 is a helpful extension of the protection of tenants, for which Opposition Members have asked.

Mr. Simon Hughes: With the leave of the House, I should like to say a few words.

Mr. Deputy Speaker: I take it that the hon. Gentleman has the leave of the House to speak again.

Mr. Hughes: As the Minister will have expected, I am grateful for his comments. However, he did not deal with one important matter, on which he may wish to take advice.

When a matter is dealt with by way of Government policy or undertaking, any court interpreting statute can look only at the face of the statute. Courts are not allowed, as a matter of law, to take into account debates in the House. That principle of legal interpretation is not used in this country, although it is used elsewhere. Will the Minister assure us that his assertion and assurance will apply as a matter of law as well as a matter of policy?

I am aware that the Minister can determine the rules and parameters within which the Housing Corporation works. I am also aware that it is the intention, as he has

[Mr. Hughes]

clarified, that the ground should not be used. The problem is, as he will realise, that in a legal context he and his colleagues and the Housing Corporation will not be parties. A landlord who had acquired the property would be taking a tenant who was in the property to court, using a ground in statute. That is the perfectly reasonable justification for a question that I hope the Minister will be able to answer. I hope that he will say that, as a matter of statute, if it is not certain now, the matter will be clarified in the early housing legislation expected after the Queen's Speech.

Mr. Trippier: I think that I can give the hon. Gentleman the assurance that he seeks on the latter point. As I said earlier, this is not a matter of law, and therefore not a matter of statute. However, I am not a qualified lawyer, so I shall take advice. The hon. Gentleman may have raised the question because he suspects that it is not. The reply that he has received from my noble Friend the Minister for Housing, Environment and Countryside made that abundantly clear. Otherwise, the direction that we are seeking to give to the Housing Corporation would be unnecessary.

Question put and agreed to.

Lords amendments Nos. 7 to 10 agreed to.

Clause 17

SUCCESSION TO ASSURED PERIODIC TENANCY BY SPOUSE

Lords amendment: No. 11, in page 13, line 11, at end insert

"or

(c) he became entitled to the tenancy as mentioned in section 39(5) below."

Mr. Trippier: I beg to move, That this House doth agree with the Lords in the said amendment.

Right hon. and hon. Members will be aware that clause 17 establishes the right of succession to an assured tenancy for the spouse or common law spouse of a deceased assured tenant. The Bill in its original form did not provide a right of succession to an assured tenancy, but after strong representations from Opposition Members we agreed to provide a right of succession for the spouse of an assured tenant, as for someone who was living with the assured tenant as man and wife. However, it is a single right of succession for the spouse alone.

This amendment blocks a small loophole in the succession provision. Most new tenancies granted after commencement will be new assured tenancies—the results of new tenancy agreements. However, some tenants will become assured tenants by succession. They will be family members who have succeeded to a Rent Act tenancy. When a Rent Act tenant dies, his spouse will have the right to succeed to his Rent Act tenancy, and when that spouse dies, a family member who has fulfilled the residence qualification will have the right to succeed to an assured tenancy. That family member could then marry and, without this amendment, her or his husband or wife could succeed to the tenancy. So the property would have seen three successions in which the landlord had no say.

If the landlord is willing to grant an assured tenancy voluntarily to the spouse of the family member, that is an entirely different matter. However, we do not want to perpetuate successions over which the landlord has no control. This is a small amendment to ensure consistency in our succession provisions, and I commend it to the House.

Mr. Simon Hughes: This may be a small amendment, and one that closes a loophole, but the Minister will be aware that this provision was the subject of controversy in Committee. This clause deals with succession rights, and closing the loophole will take away a right that currently exists. It will be of harm specifically to single and elderly single people. There was opposition from all parts of the Committee upstairs to reducing succession rights. This amendment is a backward step, and I greatly regret that the Minister is asking us to agree with the Lords amendment.

The noble Earl who introduced this amendment in another place made it clear that he had heard it argued strongly that tenants would not automatically negotiate joint tenancies for a husband and wife, and therefore that great hardship would be caused to widows if there was no automatic succession.

I shall give the Minister a simple and obvious example of the way in which this change will remove the assurance of security. It is the example of an elderly mother of 85 living with her son, aged 60, and daughter-in-law, aged 55, who move in to the mother's home specifically to look after her. When the mother, as a Rent Act tenant, dies, the son could succeed to the assured tenancy, but when he dies his wife cannot do so. By that time, the wife might be elderly and well past pensionable age, yet she will be prevented from succeeding to the tenancy by this amendment.

The arguments are known to the Government; they put the arguments themselves in another place. It is an unsatisfactory element of this Bill that succession will be denied to those who are vulnerable and need the security of their homes.

The Government take the philosophical view that three successive tenancies are bad. They are not. I can think of many constituents, as can other right hon. and hon. Members, who will suffer greatly from this amendment. My hon. Friends and I tabled an amendment asking the House to disapprove of it, but it has not been taken. However, I give notice that we shall oppose Lords amendment No. 11 if it is put to the House later this evening.

Mr. Allan Roberts: We share the view of the hon. Member for Southwark and Bermondsey (Mr. Hughes) that this is not just a small, technical amendment, as described by the Minister. It touches on a major point of principle that was debated at great length in Committee and that divided this House on a number of occasions during earlier stages of the Bill.

The Minister says that the Government do not want three successions without the landlord having any control. That is an insult to the tenants of private landlords. Under this amendment, the relative of a tenant who dies will not be allowed to continue living in what has become home. That is what we are talking about.

Mr. Trippier: No, we are not.

7.45 pm

Mr. Roberts: The Minister, from a sedentary position, contradicts me; let us consider the facts. Under this amendment, when a person succeeds to a Rent Act

tenancy, the spouse will have no right of succession—even though clause 17 gives a right of succession to spouses of assured tenants. If someone has lived somewhere for longer than two years, I would call that his home. Thus, for a relative to be unable to succeed in such circumstances is to deny to him the right to continue living in his own home.

It used to be the case that relatives entitled to succeed needed a six-month residential qualification. Under the Housing Act 1985, the qualification period was reduced to one year, but under this legislation, there will be a two-year residential qualification. Is the Minister saying that, if a person has lived somewhere for two years, that still cannot be deemed to be his home? I say that it certainly is.

In establishing the concept of the assured tenancy—in the past, we have made it clear that the only assured thing about these tenancies, unlike those of the 1980 Act, is that there is nothing assured about them and that they are very insecure—the Government go on to take away what limited rights relatives and spouses have. The whole idea behind this legislation and of destroying security of tenure among the tenants of private landlords, is that private landlords will more easily be able to get vacant possession of their property. That is what the Government argue.

That in itself will be a major factor in increasing homelessness. I do not want another debate on that aspect because we dealt with the matter of homelessness in the first group of amendments. Nevertheless, it is wrong for Conservative Members to claim that the main cause of homelessness in Britain is the same as in every other country in the western world, that it is a problem that will never go away, and that it has nothing to do with housing policies but is a social problem. This is an example of Government legislation that could, by taking away security of tenure, increase the number of people presenting themselves as homeless.

Under Lords amendment No. 11, if an assured tenant dies, the relatives living in the same house can be made homeless. If relatives are not allowed to succeed to the tenancy, the individuals or families will have to go to the local authority and present themselves as homeless. They will not have been made so intentionally but will have been put in that dilemma by the Government's legislation. Let not the Minister say that we are simply blocking a small loophole. This is a major issue of principle relating directly to our debates on succession. We believe that anyone who lives for a reasonable time in the tenancy of a private landlord should have succession when the tenant dies.

There was such a case some time ago in my constituency. Two elderly sisters had lived together for most of their lives in a terraced property, renting from a private landlord. The sister who died first was the tenant. The other sister, who had been there for 40 or 50 years, was going to be refused the right of succession. Only when we invited Granada Television to come along and interview the sisters did the landlord decide to change his mind—or her mind; it was difficult to ascertain exactly who the landlord was, although we knew the identity of the agents.

It would have destroyed that elderly person to have to accept that the house that had been her home for 30 or 40 years would be taken away, and this little "technical" amendment will result in many such cases.

Mr. Heddle: I am grateful to the hon. Gentleman for giving way, particularly as I was not in the Chamber for all his speech. I am sure that he has no wish to mislead the House now any more than he did when he cited similar examples in Committee. But he has just reminded the House that the two sisters had lived together for 30 or 40 years—he said 50 years first and then amended that. He will acknowledge from his experience of housing law that those two sisters would have been controlled and then regulated tenants, with all the security of the courts. The younger sister, being a direct relation of the deceased, would have succeeded to the tenancy.

Mr. Roberts: They did not have that kind of tenancy. If they had, we would have succeeded when we put the lawyers on to the case, without having to involve Granada Television.

What the Minister describes as the right of relatives to inherit tenancies was the reasonably fair position before the present legislation was presented. The Government must admit that their avowed purpose is to make it more difficult for tenants to remain if landlords want to evict them. The Government argue as a matter of principle that one of the reasons for the lack of an adequate supply of private rented accommodation is that landlords cannot get rid of tenants easily enough, and cannot obtain vacant possession when they want it.

The amendment is intended to enable landlords to obtain vacant possession when someone dies who has succeeded to an assured tenancy following the death of a spouse who was a Rent Act tenant. All relatives from that time would cease to have tenancy rights. The Minister admitted that he would make the third succession and any beyond it illegal if the landlord did not want to grant succession.

We think that that is wrong, and that people should have security of tenure whether they are tenants or not, as long as it is clear that the accommodation has been their main home for a reasonable period. We thought that six months was reasonable. We thought that a year, under the 1985 Act, was reasonable. Now the period is two years, and even so the Government in their miserable amendment are trying to take away tenants' rights and to increase the possibility of homelessness. The Minister says that they are trying to close a loophole. We say that they are trying to destroy the major principle of security of tenure.

Mr. Trippier *rose—*

Mr. Deputy Speaker: Has the Minister the leave of the House to speak again?

Hon. Members: Yes.

Mr. Trippier: I ask the hon. Member for Southwark and Bermondsey (Mr. Hughes) very seriously to read *Hansard* tomorrow. When he came out with his example, I was convinced that the person to whom he referred could succeed to the tenancy. I subsequently received advice from the Box that confirmed that I was right. As I understood it, the wife in his example was the tenant. The son who succeeded to the Rent Act tenancy would be the first successor. The hon. Gentleman said that the daughter-in-law could not succeed to the tenancy. I am saying to the hon. Gentleman that that person could succeed as a second successor.

Mr. Simon Hughes: The Minister may well be right. It depends on the status of the original tenant. If the mother

[Mr. Simon Hughes]

had inherited the tenancy from her husband, for example, her carers who moved in might find themselves without succession rights.

Mr. Trippier: I shall not delay the House for much longer, and I have no doubt that there will be an exchange of correspondence between the hon. Gentleman and myself.

This is the point that I wished to make to the hon. Member for Bootle (Mr. Roberts). If there had been two successions to a Rent Act tenancy—which is what the hon. Gentleman was talking about; he was talking about depriving people of rights that they already had—and the second successor was a family member, the family member's spouse would have no automatic right of succession. There has never been such a right. It is wrong for the hon. Gentleman to give the House the impression that we are taking away rights that already exist.

Mr. Allan Roberts: I assure the Minister that I would not suggest that any rights were being given that did not already exist, and I am sure that what he says is correct. But let us clarify the matter, because there was some confusion in the Minister's exchanges with the hon. Member for Southwark and Bermondsey (Mr. Hughes). When a wife or husband succeeds to an assured tenancy from a Rent Act tenant who dies, the next of kin—even if there has been a remarriage and there is another spouse—will not inherit that tenancy under the amendment.

Mr. Trippier: I could not have made this clearer than I did in my opening remarks. I gave my own example—we have had several since. I appreciate that the hon. Member for Southwark and Bermondsey wishes to divide the House, but I seriously ask whether he knows on what he is dividing it. We are not depleting the current legislation or removing tenants' rights.

Mr. Simon Hughes: The Minister must remember what his colleagues said in the Lords—that the amendment was to close a loophole because it was not Government policy to allow three people to succeed in a row. Loopholes have been closed elsewhere, but not in this context. At present there is a guarantee of security where the tenant was protected under the Rent Act. We want to sustain that, and the Minister wants to take it away. That is a very good reason for dividing, if the Minister persists in his aim.

Mr. Trippier: We do not want to take the right away. I suggest that it does not exist, but the hon. Gentleman is right to divide the House if that is what he believes. We are not prepared to extend the legislation to cover a third succession.

Mr. Roberts: Does clause 17 give the right of succession for spouses of assured tenancies, except where it is the third succession? Is that the case or not?

Question put, That this House doth agree with the Lords in the said amendment:—

The House divided: Ayes 226, Noes 185.

Division No. 480] **[7.59 pm**

AYES

Alexander, Richard
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brittan, Rt Hon Leon
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Fookes, Miss Janet
Garel-Jones, Tristan
Glyn, Dr Alan
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Needham, Richard
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy

Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Maclean and
Mr. Michael Fallon.

NOES

Abbott, Ms Diane
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Paddy
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Haynes, Frank
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
John, Brynmor
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McCartney, Ian
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Malcolm Bruce and
Mrs. Ray Michie.

Question accordingly agreed to.

Clause 20

ASSURED SHORTHOLD TENANCIES

Lords amendment: No. 12, in page 14, line 26, after "is" insert "a fixed term tenancy"

8.15 pm

Motion made and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Mr. Trippier.]*

Mr. Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 13 to 17.

Mr. Tony Banks: These amendments relate to assured shorthold tenancies—a difficult phrase to say if one has paid a visit to the Strangers' Bar, but I have not so far this evening and will not for some time yet.

The Government know that we are very concerned about assured shorthold tenancies because we believe that this form of letting will destroy security of tenure in the private rented sector. There is a play on words here. Heard the first time, "assured tenancy" sounds like something

[Mr. Tony Banks]

that might enhance the rights of tenants—a good thing; but the Government have perverted the English language, and assured tenancy actually diminishes certain rights.

These amendments tighten up the definition of assured shorthold tenancies, so I welcome them because they will ensure that such tenancies can be created only in extremely limited circumstances, when landlords and tenants are fully aware of the implications of the bargains they are about to strike. We discussed that at length in Committee but could not persuade the Government of our case. Fortunately, these Lords amendments provide what we sought then.

Lords amendment No. 12 includes in its definition the words "a fixed term tenancy", which clarify what an assured shorthold letting for a short period is, the minimum being six months.

Lords amendment No. 13 deals with the contractual terms of a tenancy. We are pleased to agree with it, as it provides that, if a landlord inserts a break clause into a shorthold agreement, the tenancy cannot be an assured shorthold tenancy. We are concerned that the wholesale creation of assured shorthold tenancies will lead to the destruction of security of tenure for private tenants.

The Bill creates two new forms of tenure—assured tenancy and assured shorthold tenancy. The first, we are told, will give some security with market rents; the other provides less security, but with correspondingly lower rents. The point that the Government have conspicuously failed to answer relates to assured shorthold tenancies. If a tenancy is for six months, how is the tenant to enforce his right to a reduced rent? The Government have told us repeatedly that landlords do not always want to twist tenants, and have always assumed that tenant and landlord come together as equally powerful parties. That might be so in legal terms under this legislation, but the reality is quite different.

We all know many examples of tenants' rights being ignored by landlords. Obviously, the former can go to law to try to pursue their rights, but the people we are talking about often do not possess the economic wherewithal to do that and may not understand what their rights are. That is why we have always tried to load the balance in favour of the tenant. That does not necessarily make us an anti-private landlord party, but experience and our constituency caseloads show us that things must be weighted in favour of the tenant.

There are far more private landlords who are crooked and unfair twisters than there are tenants who are prepared to dupe landlords. I agree that such cases happen from time to time, but they are rare. In the great preponderance of constituency casework of Labour Members—and, I suspect, of Conservative members in inner cities as well—it is the tenant who is at a disadvantage and the landlord who is deceiving and tricking the tenant. That is why we always want to be seen as the party of the tenant—whether the private or the council tenant. We are proud to be the party of the tenant and we are not prepared to accept the Government's criticism that we are wholly one-sided, because we speak from experience.

If the tenant asks for a reduced rent or applies to a rent assessment committee, the landlord's obvious response will be, "OK, you can get out at the end of your tenancy." That is true of the other rights that tenants have. What about repairs, for example? Hon. Members will know of cases in which tenants have asked for repairs to be done but the landlord has ignored them. The roof may be leaking, for example. How do the Government think——

Mr. Heddle: I rise to ask whether it is reasonable for the hon. Member for Walsall, North (Mr. Winnick), who has been in the House for many years, to be reading the daily newspaper rather than listening to the words of so-called wisdom of his hon. Friend the Member for Newham, North-West (Mr. Banks)?

Mr. Winnick: I can show you, Mr. Speaker, or the Clerk that I have been making marks of rented accommodation that is available in London and the rents payable. I shall use that information at a later stage. I have been marking page 38 of the *Evening Standard*, as you can see, Mr. Speaker, and I consider it to be part of my responsibility to do so.

Mrs. Mahon: The hon. Gentleman should apologise.

Mr. Speaker: Order. I think that that is probably just about in order.

Mr. Banks: I am prepared to accept my hon. Friend's explanation, because no one would read the *Evening Standard* for pleasure. He can be paying it such close attention only in the interests of research—although I must ask him who won the 3.30. I know that my hon. Friend is more than capable of carrying out research and listening to me at the same time—and he can probably carry out a number of other bodily functions at the same time.

I was talking about the case of a tenant asking a landlord to deal with a property that is in a state of disrepair, with, for example, a leaking roof. What is the tenant's position in such a case? Although there has been much criticism of local authorities because of the state of disrepair of some council properties, the fact cannot be avoided that the greater disrepair and dilapidation has been in the private sector. Conservative Members know that that is true. The most distressing cases that one deals with at constituency advice centres are those that occur in the privately rented sector.

Mr. Heddle: The hon. Gentleman has just reminded the House that his party is the party of the tenant. Will he confirm that it is in the private sector that the tenant has the rights and protection of the law against disrepair and that it was this Government who recently introduced the same rights for tenants with local authority landlords to protect them in cases where properties have been allowed to fall into disrepair?

Mr. Banks: The hon. Gentleman's comments fly in the face of reality. I realise that he may be more interested in what my hon. Friends are doing than in listening to what I am saying. I was saying that, although rights will be given under the Bill, and although rights exist under other legislation, many tenants do not have the economic capacity or general awareness to pursue those rights. That is the point that I am trying to make. That is why, throughout the passage of the Bill, it has been the Labour party which has tried to tilt the balance in favour of the

tenant, to make the situation as straightforward and simple as possible and to ensure that the tenant has many rights without having to resort to the law.

Ms. Primarolo: Does my hon. Friend agree that if a tenant in the private sector withholds rent to secure repairs, that tenant will fall foul of a possession order, under the mandatory provisions of the Bill? What the hon. Member for Mid-Staffordshire (Mr. Heddle) has just said about protection on repairs is a load of rubbish. That protection will be superseded by the mandatory eviction provisions in the Bill.

Mr. Banks: My hon. Friend is more direct in her language than I am, but I do not dissociate myself from her words. She has made a good point. A court will have no discretion over eviction for rent arrears. We shall debate later the provisions that deal with the right to buy, which include a scheme whereby tenants who want to buy their homes from the council can hold money back, if there is a delay, and put it into a fund that will effectively qualify as their mortgage payment in the future. The Government want to load everything against the local authority. They see the local authority as the enemy of the people.

Mr. Trippier: That is rubbish.

Mr. Banks: I do not know how much attention the Minister has paid to the Bill at various stages. We have found that not only the Bill but the general drift of legislation is based on the assumption that the local authority is the enemy of the people. I do not want to speak on a subject outside the scope of the amendment, but, as we are the party of the tenant, we consider the Government to be the enemy of the local authority. In their eyes, the local authorities can do nothing right. The House knows that taking all housing away from local authorities is on the Government's agenda. I ask Conservative Members to speak if that is not true. I see that no Conservative Members have risen to speak, so it is obviously true. We have discovered another item on the hidden agenda.

Mr. Soley: The previous Parliamentary Under-Secretary of State for the Environment, who was sacked—although not for this reason—said that the Government took the view that councils should no longer be providing accommodation. That was also implied in the White Paper in October 1987, and other Ministers have said the same in Committee. They believe that local authorities have no role as providers of housing.

Mr. Banks: Too few people in this country know of the true intentions of the Conservative Government. Labour Members who have attended public meetings about the Bill have noticed a large number of elderly tenants there. We do our best to explain fairly and impartially what the Government seek to achieve. Unfortunately, that seems to frighten the audience more then if we made things up as we went along.

Many elderly tenants come to the meetings because they can remember what private landlords were like and they know that it was the local authority who removed them from the ghettoes of the private landlord. Even the worst local authority is infinitely better than the worst private landlord. That is why people are worried about the Bill, which has nothing to do with the provision of additional housing but everything to do with trying to take the provision of housing away from local authorities.

Mr. McCartney: I have a copy of the Government's discussion paper on housing in rural areas which was issued on 5 July 1988. Paragraph 1 says:

"Local authorities would increasingly act as enablers who would facilitate the provision of new housing by others".

Paragraph 3(1) says that there is a need to

"extend the role of the housing associations in rural areas so that they can take over from local authorities some of their responsibility as the providers of new housing for rent".

The Government made it clear during the summer that they would remove local authorities from their role as providers of housing.

Mr. Banks: I accept the point that my hon. Friend has made, which we are driving home time and again. I only wish that more people outside the House, such as the council tenants who sit reading *The Sun*, the *Daily Mirror*, the *Daily Express* and *The Star* could read in those newspapers about what the Bill really intends, rather than reading about the latest fashion that has been draped over Princess Diana.

Mrs. Mahon: My hon. Friend referred to the elderly. I recently held a surgery in the town centre of Halifax where two out of three council tenants are elderly people. My hon. Friend's point about the past was repeatedly emphasised by elderly people who said, "Please tell the younger ones about the private landlords." The experiences that they related to me were quite shocking. I ask the Minister to consider the experiences of those elderly people, who do not want a return to the bad old days of the private landlord.

8.30 pm

Mr. Banks: My hon. Friend is absolutely right. Her experiences echo mine. Younger council tenants, and younger people generally, may not be aware of those circumstances. They have had their minds dulled by the propaganda of the Right-wing press and have not had the experiences that their mothers, fathers and grandparents have had.

People are worried about the Bill because they do not have the Government's confidence and faith in private landlords. The Government seem to have infinite faith in the ability of private landlords not only to meet our housing shortage but to do the decent thing by tenants. I do not know how they can maintain that position, because it seems to fly in the face of experience.

Mr. Trippier: If the hon. Gentleman returned to the matter that we are discussing, he would discover that amendments Nos. 12, 13 and 16 are designed to assist the tenant. They meet points raised by the Opposition either in the House or in another place to which we have responded positively. We have not heard much about that.

Mr. Banks: I made it quite clear to the Minister that I was speaking in favour of the amendments. I said at the beginning that we welcomed the fact that the Government gave way in the end; of course we welcome it. However, we need to spell out the implications of the Bill and the problems of tenants because we are the party of the tenants.

Mr. Trippier: What arrogance.

Mr. Banks: If the Minister feels miffed because I have not given him sufficient credit I shall gladly do so now. I shall give him all the credit he wants. I only wish that he had been so welcoming of our other proposals.

Mr. Soley: My hon. Friend should not give the Minister too much credit. To be fair, this Minister was not in the job at the time, but Ministers dealing with the Bill in Committee consistently refused to give genuine safeguards against serious harassment. Every organisation with experience of housing knows that the dangers of abuse are far greater under the Bill. The hon. Member for Mid-Staffordshire (Mr. Heddle) knows that, too, especially in relation to the business expansion scheme—about which he has anxieties—which will also be covered by the Bill. Although the Government moved a little way when pushed by the Lords, the amendments go nowhere near solving the problems that my hon. Friend describes.

Mr. Banks: I just thought that the Minister was getting a little upset. As he is a new boy in this job, I do not want to get him too upset too early. There will be plenty of time to get him really upset. I hope that my hon. Friend the Member for Hammersmith (Mr. Soley) will realise that my welcome was not excessive. Of course we welcome the amendments. We are very reasonable people. Reason is on our side, and it would be unreasonable and churlish of us not to admit that the Government have given way to pressure from the Opposition. It is the role of the Opposition to exert such pressure.

The hon. Member for Mid-Staffordshire (Mr. Heddle) said that tenants had rights under the Bill. I was referring to the tenant who finds that the property in which he or she lives is in a state of disrepair and who goes to the landlord to ask him what he proposes to do about it. The landlord can say, "I shall kick you out of the property and get myself another shorthold tenant straight away." That can happen under the Bill.

If the tenant is so bold as to complain about the state of repair of the property and to seek to get the landlord's obligation to undertake repairs enforced, what progress is he or she likely to make? The hon. Member for Mid-Staffordshire knows better than I how long it takes to get a county court hearing for a case of breach of covenant of repairing obligations under section 11 of the Landlord and Tenant Act 1985. Would the hon. Gentleman care to hazard a guess? Once a survey has been carried out and an application made for a hearing, months of delay may follow. In my constituency, tenants with excellent solicitors have not been able to obtain a full hearing until 18 months after their original complaint. That is crazy. The tenant may have rights, but unless those rights can be speedily, cheaply and easily enforced, they do not amount to much. Therefore, although I welcome the amendments, they beg an awful lot of questions.

Lords amendment No. 13 is welcome because it provides that a clause in the contract terminated before the end of the initial six-month period would ensure that the tenancy would not be an assured shorthold tenancy. Lords amendment No. 14 is less welcome, because the Government appear to be displaying paranoia that is unnecessary in the circumstances. They appear to be worrying about assured shorthold tenancies that have come to an end during their term either because the tenant has left or because some other change has taken place. They are ensuring that if the tenancy starts again it remains an assured shorthold tenancy and does not become a full-blown assured tenancy.

Amendment No. 15 emphasises the distinction, so that when the original tenancy comes to an end, an assured tenancy is not created but the new tenancy is still an assured shorthold tenancy. Why does the Minister feel so strongly about those two amendments? I have been knocking around with the Bill for some time, but I still find some aspects difficult to understand.

Amendment No. 16 seems to play word games, and I cannot see the point of it or of amendment No. 17. Perhaps the Minister will explain exactly what amendments Nos. 16 and 17 achieve. I am sure that he has an excellent brief from his civil servants and I shall be pleased to hear precisely what the two amendments do.

Opposition Members would not wish to be churlish. We are pleased that our arguments have been listened to, and even if the amendments do not go half as far as we would want them to, we are prepared to accept them.

Mr. Trippier: It is clear from the remarks of the hon. Member for Newham, North-West (Mr. Banks) that he does not intend to divide the House. I shall briefly address the questions that he puts.

Amendments Nos. 12, 13 and 16 are designed to plug the loophole in the shorthold procedure which could work to the disadvantage of tenants. Clause 20 provides that, to qualify as an assured shorthold tenancy, a tenancy must be granted for a certain term of at least six months. We do not want landlords to be able to circumvent that requirement by granting six-months tenancies with a power to determine the tenancy—in other words, bring it to an end—at some point before the minimum six-months term is up.

Amendments Nos. 14, 15 and 17 are aimed at the case where an assured shorthold tenancy ceases at some time during its life to qualify as an assured tenancy because the tenant no longer occupies the property as his principal home.

The hon. Member for Newham, North-West has given the impression that Ministers—specifically, those in the Department of the Environment—are not in favour of local government or of housing in any way being managed by local authorities. The vast majority of Ministers in the Department of the Environment come from a background of local government and we are very strongly in favour of local government where it is efficiently run. The sad fact is that in many cases it is not efficiently run, as I tried to illustrate in an earlier debate.

Mr. Soley: In view of what has been said by the Minister's predecessors, that is an important point. Is the Minister saying that he wants local authorities to continue to have a role in the provision of housing into the future, and if so, that the Government have given up their attempt to make local authorities get rid of all their properties? Does he want local authorities to be providers or only enablers as in the terms of the White Paper? That was the distinction drawn. What is the Minister saying to the House?

Mr. Trippier: I am saying—and the Government have said and other Ministers have said—that we want local authorities to be principally enablers.

Mr. Soley: But not entirely?

Mr. Trippier: Principally enablers. It is stretching credulity to breaking point for the hon. Member for Hammersmith (Mr. Soley) to suggest for one moment that the whole of the public housing stock run by local authorities will be transformed and transferred within very short order. I have already touched on that point. There is a balance to be achieved. I have already said in a previous debate that I think that there is an important role for local authorities to deal with the problem of homelessness. The more we can encourage the private sector, principally housing associations, to concentrate on those low-cost housing—*[Interruption.]* The hon. Member for Newham, North-West sneers at that.

Mr. Tony Banks: I am not sneering—I am smiling.

Mr. Trippier: You were smiling and sneering. The same question is given to this side of the House by your hon. Friends as to what they would feel about housing——

Mr. Speaker: Order. I am not sneering at anything.

Mr. Trippier: Therefore, if there is a role in relation to homelessness for local authorities and housing associations, it is clear that if we are successful with this Bill in promoting private homes for rent through housing associations it will allow local authorities to concentrate on those people who are homeless and to give greater attention to that sector. I shall repeat that point again on Friday.

Mr. Soley: I do not wish to stray out of order, Mr. Speaker. The debate has been about the ability of local authorities and other people to cope with aspects such as homelessness in the past, but we have passed through that debate and this debate has been about certain aspects of security for tenants. The Minister, however, in his remarks has indicated a very different position from that indicated by other Ministers both recently and in the more distant past. I am anxious to get the Government to clarify what they are saying.

I noticed that, on my intervention, the Minister slightly altered his words to say that he did not expect local authorities to get rid of housing in short order—I think that that was his phrase—but may I take it that the Minister recognises and accepts that the aim of the Government as laid down by previous Ministers is to get rid of all provision of council housing when they can? That has been stated in so many words and sometimes very explicitly by the hon. Gentleman's predecessors. He seemed to move away from it just now and then in his closing remarks he seemed to move back again.

May we have the position made clear? Is the hon. Gentleman of the view that at some date in the future, perhaps a long time in the future, the view of the Government is that local authorities will not be providers of housing at all? Or is he saying that there will always be a role for local authorities in providing housing? All the evidence from the Government so far—their actions, their statements on the record here and the written answer to my hon. Friend the Member for Walsall, North (Mr. Winnick)—is that the Government took the view that local authorities could give it all up sooner or later. The Minister moved away from that and then waffled a bit. I want to know what his position is.

Mr. Trippier: The hon. Gentleman and I have been Members of the House for long enough to know precisely the game that he is seeking to play. I could not make it any clearer to him. Perhaps he would care to consider *Hansard* tomorrow and see what I have said. I have made it absolutely crystal clear. In contrast to that of the Labour party, the Government's policy for the next Parliament is stated clearly in the Conservative manifesto. Therefore, all that is said on housing—I re-read it this morning—could not have been clearer. We are exposing local authorities in their control of housing to competition, and providing the opportunity through this legislation for tenants to give their local council the sack. The hon. Member for Hammersmith does not like that because he and many of his hon. Friends believe that the council estates are their sole preserve. *[Interruption.]* We have heard it again from his hon. Friends on the Back Bench. I have never heard such arrogance.

Mr. Soley: On a point of order, Mr. Speaker. I do not wish to trade arguments with the Minister. We shall have an opportunity to do that when it is appropriate and in order to do so. All that I want to ask at this point is this. If the wording in *Hansard* suggests that the Minister has in fact stated a position different from that which Ministers previously stated, will it be in order for me to raise the matter tomorrow or at the earliest sitting of the House after the *Official Report* is made available?

Mr. Speaker: That is hypothetical at the moment. The hon. Gentleman can check the record and no doubt we can deal with it at the time.

Question put and agreed to

Lords amendments Nos. 13 to 17 agreed to.

Clause 22

REFERENCE OF EXCESSIVE RENTS TO RENT ASSESSMENT COMMITTEE

Lords amendment: No. 18, in page 16, line 9, leave out "if".

8.45 pm

Mr. Trippier: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Speaker: With this it will be convenient to take Lords amendment No. 19.

Mr. McCartney: I had intended to wait for the Minister's explanation and then point out how inadequate it was. Little did I know how inadequate it was to be, especially as there was considerable discussion about this point in another place. Indeed, one of the main protagonists in that debate is here today. The amendment deals with the referral of excessive rents to the rent assessment committee—the RAC—which was established to get rid of the rent officer and the local rent committees. Despite the inadequacy of the Minister's comments, it is important to take account of the intention behind the amendment and to explain why the Opposition regard it as insufficient to allay our fears about what will really happen in the market place.

The landlord's power to determine the type of tenancy is especially significant in areas of housing stress. In many respects, the landlord's power to determine whether it is an assured tenancy or an assured shorthold tenancy will to a large extent determine the protection for the tenant or potential tenant. It is significant that, in using that power,

[Mr. McCartney]

the landlord can negotiate rents higher than those set by the rent assessment committee. I shall return to that in a moment.

As the Minister was not prepared to explain the Government's position, it is incumbent on me to set out what the Government's position was when the matter was debated in another place. In that debate, the Earl of Caithness said:

"As noble Lords will by now be well aware, we on this side of the House start from the proposition that the rent for an assured tenancy should be first and foremost a matter for free negotiation and agreement between landlord and the tenant. That, in our view, is a necessary and entirely proper feature of the free market principle which we are seeking to apply to private rented housing.

Thus under the new regime the landlord and tenant will be free to negotiate not only the initial rent for the tenancy but also—if they wish—a contractual procedure for reviewing that rent at subsequent intervals. In cases where they do agree on such a procedure, that procedure will be binding on both parties with no provision for it to be overridden by statute. The primacy of contract is absolutely fundamental to our thinking in this respect."—[*Official Report, House of Lords*, 3 November 1988; vol. 501, c. 399]

The principle behind this is the free market, but in areas of housing stress how can landlord and tenant be free on a balanced basis to negotiate rent levels and terms of tenancy? In reality, that will never be the position. The tenant or potential tenant will always be in a take-it-or-leave-it situation and significantly under pressure when it comes to determining the level of rent.

In terms of legal status, this is a unique attempt to write into legislation in this country the ability of a landlord or other person to make an agreement which removes the contractual rights, legal obligations and right to seek legal redress from the terms of a contract. No such principle exists in any other part of English law. Indeed, employment law is quite the opposite—no employer can force an employee to agree to the removal of his rights. Yet the noble Lord said that, once a tenant had come to an arrangement with a landlord, no matter that it be under pressure, the tenant's ability at a later date to seek redress through the RAC would be ultra vires.

I know of cases where landlords have put considerable pressure on tenants to vary their rent arrangements. In Wigan, that often happens with homes in multi-occupation. Young women living on their own are especially vulnerable. The landlord says that he wants an extra £5 or £7 a week, and if the tenant is not prepared to pay, the landlord will subdivide the tenancy and bring in another person to share that accommodation. I know of one recent case of a young woman having the only room that she rented split into two. The landlord attempted to put in another woman to share that accommodation because the tenant said that she could not afford to pay more than the rent that had originally been agreed.

Tenants are harassed by landlords who want to change the tenancy arrangements. We must therefore seriously consider the amendments and determine whether they are adequate to protect the rights of tenants and ensure that they are in the same bargaining position as the landlord. Unless there is equality of bargaining, there can be no equality or freedom for a tenant when negotiating with a landlord.

Many prospective tenants face the problem of key money. They might telephone the landlord after seeing an advertisement, be asked to go to see him immediately and then be asked to make an offer on the level of rent that they are prepared to pay and what they are prepared to pay as a deposit and key money. People in desperate circumstances have no choice but to accept whatever the landlord wants. In doing so, they give away their rights to further consideration of the tenancy arrangement. It is important to decide whether the amendment is adequate to deal with that. I do not think that it is.

The Minister of State said in another place:

"We believe that the statutory rent-fixing procedure we have designed will ensure adequate protection for tenants in those situations where it is needed. But we are quite determined that the law should not at any stage get in the way of people who are perfectly capable of sorting matters out between themselves."

How is that to be defined in an area of housing stress? It is a throw-away phrase. The noble Lord continued:

"Where the rent assessment committee determines a rent, that will be the rent payable under the tenancy unless the landlord and tenant agree on a different figure. The tenant cannot be compelled to pay more than the rent assessment committee's determined rent. I repeat . . . there is no X factor."—[*Official Report, House of Lords*, 3 November 1988; Vol. 501, c. 400.]

In reality, there is an X factor in the market place. It is necessary for people to have roofs over their heads. The landlord makes it clear that either the tenant agrees to a new arrangement or he will not continue the tenancy. With a shorthold assured tenancy, at the end of six months the tenant is on the road with his backpack. He can only hope that the local authority will put him in bed-and-breakfast accommodation.

The throw-away phrases during the debate in another place are meaningless in the battle to help tenants secure their rights in the market place, where the landlord has the ability to determine the rent level. Although the noble Lord's statement was inadequate, at least he attempted to answer the questions put by the Opposition. However, he did not say why the Government had failed to do anything about clause 22(3). Why do not the amendments contain a redefinition of the clause, which states:

"(3) Where an application is made to a rent assessment committee under subsection (1) above with respect to the rent under an assured shorthold tenancy, the committee shall not make such a determination as is referred to in that subsection unless they consider—

(a) that there is a sufficient number of similar dwelling-houses in the locality let on assured tenancies (whether shorthold or not)"?

Who determines what is sufficient in London, in Wigan, in Manchester, in Halifax, in Cardiff——

Mr. Richard Caborn (Sheffield, Central): Or in Sheffield.

Mr. McCartney: I apologise to my hon. Friend for not mentioning Sheffield.

On the one hand, the Minister appears to be giving the tenant the right of redress, but on the other the phraseology he uses in the clause gives the tenant no right of redress whatever if the RAC says that there are not sufficient houses of a similar tenancy to enable it to determine the tenant's application. The tenant will have to pay up or get on his bike and get out.

Clause 22(3)*(b)* states:

'(b) that the rent payable under the assured shorthold tenancy in question is significantly higher than the rent which the landlord might reasonably be

> expected to be able to obtain under the tenancy, having regard to the level of rents payable under the tenancies referred to in paragraph (a) above."

What is the meaning of "significantly higher"? If we are to believe the Minister of State, once the RAC makes a determination, that is the rent. That means that there is an X factor. What is "significantly higher"—£1, £2, £3; 10, 20, 30 or 40 per cent? Is it to be significantly higher than the minimum level of housing benefit set by the local DHSS office?

Who determines that? If a person is homeless in Cardiff or Wigan, he is 100 per cent. homeless. Is it determined in this Bill that in Cardiff a person may be lucky and get the rent assessment committee to assist him, but, unfortunately, in Wigan a person cannot and the answer is to move to Cardiff? That is the sort of double meaning in the legislation.

The legislation gives the illusion that tenants can call their landlords to account and can secure their rights. The ability to negotiate in the market place and to determine both whether the rent level is fair and other tenancy conditions is an illusion. It is an illusion that a tenant can seek redress.

Mr. Redmond: The national mobility scheme, is designed to help people move from one local authority to another. If a person gets on his bike and moves south, obviously becoming part of the homeless sector, he is not allowed to go on to the local authority housing list because he does not have his families, with him. Until he can get his family down south, he cannot go on a waiting list. That happens in authorities which are part of the national mobility scheme, and it is escalating the homeless problem. Can my hon. Friend explain that or will the Minister do so when he replies? Many of my constituents have moved south for a job, which has meant separation from their families with all the hardship, stress and strain that that brings to family life.

9 pm

Mr. McCartney: I thank my hon. Friend for that point. Coincidentally, I was the member of the Back Bench Opposition team in Committee who was given the dubious pleasure of moving this amendment, which was new clause 36. I do not want to go over old ground, but it may be helpful to the Minister if I give him the short reply given to me by his predecessor. It may assist him to give me an adequate response.

The gist of my argument was that, in the changeover, the national mobility scheme should remain and that arrangements made between inner and outer London boroughs should remain, irrespective of the terms of the tenancy and whether it was in the public or private sector. It was the only occasion when I paid tribute to the Government, and it was for setting up a mobility scheme some years ago. Despite that, the then Minister, who is not present now, said:

> "I have listened carefully to the hon. Member for Makerfield (Mr. McCartney). I understand that the new clause is based on proposals put to the joint committee of the London area mobility scheme, on which the boroughs participating in that committee have not yet reached agreement. So irrespective of its merits or otherwise it is premature, and therefore I resist it.
>
> I am not inclined to accept the principle behind the new clause. It is preferable that participation in mobility schemes should remain voluntary."—[*Official Report, Standing Committee G*, 15 March 1988; c. 1642.]

The market forces apply. That was the short shrift that I got. It is ironic that that was the last time that the Minister spoke from the Dispatch Box, so I suppose that there is some justice in that.

I hope that the Minister can give us some brief indication of the reasoning behind the Government's proposed amendments and why the Government have not included some redefinition of clause 22(3) so that tenants with assured shorthold or assured tenancies can use it for rent levels and other tenancy conditions. Previously, the Minister failed to give a commitment to meet the young homeless in London and elsewhere. I hope that he will not treat this request with the same disdain but that he will get on his hind legs and come to the Dispatch Box. We are awaiting his clarification of the debate in the House of Lords and of this debate.

Mr. Trippier: The speech by the hon. Member for Makerfield (Mr. McCartney) was less than worthy of him. I know him well: he is an hon. Member representing the north-west, like myself. Until I heard his speech, I thought highly of him. I always thought that he was an intelligent man, yet he asked why the then Minister for Housing and Planning did not state the Government's position. He was a member of the Committee for a long time, and he would have been present on Report when the Committee proceedings were made clear. If he was not, I should like to know why.

On Report, an undertaking was given by my hon. Friend the Minister of State, Foreign and Commonwealth Affairs—my hon. Friend the Member for Bristol, West (Mr. Waldegrave), who was then Minister for Housing and Planning—that he would concede that the proviso served no useful purpose.

Mr. Battle: The then Minister made promises of concessions in Committee that have not materialised.

Mr. Trippier: The hon. Member for Leeds, West (Mr. Battle) should consider what he is saying in his interventions. My hon. Friend the then Minister for Housing and Planning was responding to appeals from Labour Members. The hon. Member for Makerfield has not done his homework. He has not even looked at the record of the Report stage or the proceedings that he attended for several months.

Mr. McCartney: I used to think that, as an hon. Member representing the north-west, the Minister was an honourable gentlemen. The Minister is making a patchwork of personal attacks on myself and other Members——

Mr. Boateng: A farrago.

Mr. McCartney: That is the word I wanted. My hon. Friend the Member for Brent, South (Mr. Boateng) attended a better school than me. I had the benefit of a Scottish education.

The Minister owes the House an explanation of clause 22(3). The then Minister for Housing and Planning said that he would consider the amendment, but if my recollection is correct it did not concern only the specific point made in the House of Lords, which watered down the promise given. Will the Minister please give us an answer?

Mr. Trippier: I shall be happy to give the hon. Gentleman an answer to the specific point that he made about clause 22(1) and 22(3), if he will allow me. The hon. Gentleman knows full well why we conceded this point.

The hon. Member for Makerfield referred to debates in the other place and to the rent regime covering full assured tenancies. We are dealing with shorthold tenancies, under which there is a right to apply at any time, to a rent assessment committee for a rent determination. The rent assessment committee will consider whether the rent payable is above market level, and if it is, it will determine a market rent, which will override the contractual rent. I am sure that I am enlightening the hon. Member for Makerfield—I will give him the benefit of doubt—but this point must have arisen several times in Committee.

Mr. Redmond: It is important to assess the correct level for a rent, but will the Minister consider a method of ensuring that landlords carry out repairs to make a property habitable? When assessing what is fair and reasonable, that must be taken into consideration.

Mr. Trippier: I am sorry that I gave way to the hon. Gentleman, because his comments have nothing to do with the clause. If we were to go down that road, we would have to discuss—we may have time to do so later: for example, on Friday—whether local authorities, not just the private sector, should be made to keep up to date with the repairs for which they are responsible.

The House will know that subsection (3) will still apply —the hon. Member for Makerfield was right—thus the rent assessment committee will be empowered to make a determination of rent only if it considers, first, that there is a sufficient number of similar properties in the locality let on assured tenancies and, secondly, that the rent payable in the case before it is significantly above the rent levels prevailing under those other tenancies.

Mr. Bradley: As a Member representing a north-west constituency, the Minister should understand the position in Manchester. I shall give a practical example of how people accept shorthold tenancies. The Minister should understand the position well because I explained it in Committee. If he had read *Hansard*, he would have recognised what happens.

People desperate for accommodation race to get the *Manchester Evening News* and then race to the telephone to try to get an appointment for accommodation. They race to the accommodation and, if they are lucky, they are in a queue of fewer than 20. If they are very lucky, they are at the front of the queue. The landlord offers accommodation on his terms. The applicants cannot determine whether the provisions in the clause about other properties or levels of rent in the area are appropriate and, in desperation, they accept the accommodation. The Minister has said that tenants can go to a rent assessment committee at any stage. If, because of the provisions of the clause, a tenant cannot go to a rent assessment committee to get his rent lowered and cannot afford the rent to which in his desperation he agreed, is evicted by the landlord, will he be considered to be intentionally homeless? I hope that the Minister will reply.

Hon. Members: Answer.

Mr. Soley: The Minister does not answer. The problem may be that he is unable to do so. It would help if he could answer the question.

Mr. Trippier: I made that point clear. I shall write to the hon. Member for Manchester, Withington (Mr. Bradley). I would have to examine his precise example.

Question put and agreed to.

Lords amendment No. 19 agreed to.

Clause 27

DAMAGES FOR UNLAWFUL EVICTION

Lords amendment: No. 20, in page 18, line 35, leave out "20th November 1987" and insert "9th June 1988"

Mr. Trippier: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Speaker: With this it will be convenient to take the following Lords amendments: Nos. 21 and 22.

No. 23, in page 19, line 27, leave out

"proceedings are begun to enforce the liability"

and insert

" the date on which proceedings to enforce the liability are finally disposed of"

Amendment (a) thereto, at end insert

'or within the period of six months beginning on the date on which the proceedings are begun, whichever shall be the earlier'.

Lords amendment No. 24.

Lords amendment No. 25, in page 19, line 34, at end insert—

"(6A) If, in proceedings to enforce a liability arising by virtue of subsection (3) above, it appears to the court—

(a) that, prior to the event which gave rise to the liability, the conduct of the former residential occupier or any person living with him in the premises concerned was such that it is reasonable to mitigate the damages for which the landlord in default would otherwise be liable, or

(b) that, before the proceedings were begun, the landlord in default offered to reinstate the former residential occupier in the premises in question and either it was unreasonable of the former residential occupier to refuse that offer or, if he had obtained alternative accommodation before the offer was made, it would have been unreasonable of him to refuse that offer if he had not obtained that accommodation,

the court may reduce the amount of damages which would otherwise be payable to such amount as it thinks appropriate."

Amendment (a) thereto, in line 6, leave out 'is reasonable' and insert

'would be wholly unjust not'.

Amendment (b) thereto, in line 10, after 'offered', insert 'in writing'.

Amendment (c) thereto, in line 11, leave out from 'and' to end of line 15 and insert

'it was unreasonable of the former residential occupier to refuse that offer.'.

Lords amendment No. 26.

Lords amendment No. 27, in page 19, line 45, after "for" insert "doing the acts or".

Amendment (a) thereto, in line 1, before 'doing', insert 'with the exception of any grounds for possession under this Act that relate solely to the conduct of the former residential occupier or of any persons living with him in the premises concerned,'.

Lords amendments Nos. 28 to 33, 247, 248 and 269.

Mr. Trippier: All the amendments are concerned with the new civil right to damages created by clause 27, the new offence under the Protection from Eviction Act 1977 which is created by clause 29 and the existing offence. Amendments Nos. 20 and 21 take account of the fact that the clause was widened on Report to cover actions by superior landlords in cases where the landlord knew that the tenant might leave as a result of harassment or persistent withdrawal of services. The amendments provide that the clause shall be effective as from the date of those amendments on Report and not retrospective in the sense in which we would deplore it.

Amendment No. 22 clarifies the meaning of the word "calculated," as used to describe the actions of a landlord who may be liable for damages under this clause. Amendments Nos. 28 and 30 make similar amendments to the existing criminal offence in the Protection from Eviction Act 1977 and the new offence in clause 29. Since this widening of the offence covers both acts of commission and the withholding of services, amendments Nos. 26 and 27 widen the defence provided by clause 27(7)(b). Amendments Nos. 29 to 33 similarly widen the defence provided in clause 29.

9.15 pm

Amendment No. 23 provides that a landlord shall not be liable under clause 27(3) if he reinstates the tenant before proceedings are finally disposed of. Amendments Nos. 247, 248 and 269 make amendments that have a similar effect to the Housing (Scotland) Act 1988.

Opposition amendment (a) to Lords amendment No. 23 would make it a requirement that liability under clause 27(3) would arise if the tenant were not reinstated within six months of the date of proceedings starting. The aim of the amendment is to prevent a landlord from dragging out proceedings and thus deterring the tenant from pursuing his case to its conclusion, but there is no need for a time limit in this case. The tenant does not have to accept the landlord's offer to reinstate him. If he accepts an offer before bringing proceedings, he will not get damages under clause 27. If he accepts at any point afterwards, he may not get clause 27 damages but it will still be open to him to bring an action against the landlord for breach of covenant for quiet enjoyment. The longer the landlord spins out the proceedings, the greater the potential loss to him if he loses. If the tenant wins his case, he could also get interest on the damages. It is the tenant's choice whether to accept the landlord's offer of reinstatement, knowing that if he accepts at a late stage in the proceedings he will lose any prospect of clause 27 damages. He gains nothing by the amendment, and I am afraid that I cannot accept it.

Opposition amendment (a) to Lords amendment No. 25 wants the wording of amendment No. 25 to specify that the court shall consider mitigating damages only where it would be wholly unjust not to do so. It was the intention of the noble Lords who drew attention to the inability of the court to mitigate damages that damages should be reduced only in exceptional circumstances. The present wording of the amendment employs a well-tried concept —that of reasonableness. It is not necessary to ask the court to decide whether something is manifestly unjust.

The whole thrust of clauses 27 to 29 is against harassment. The clauses introduce a new criminal penalty and swingeing civil penalties. The conduct of a tenant will have to be very bad indeed for a court to decide that it is reasonable to mitigate damages that are clearly designed as a penalty for committing an illegal act. These are not normal compensatory damages; they are penal damages. The court will be aware of that, so I am afraid that I cannot accept the amendment.

Mr. Soley: Does the Minister intend to urge his hon. Friends to ensure that legal aid is available in these cases?

Mr. Trippier: I understand that legal aid is available for all sorts and conditions of men and women.

Mr. Soley: Not so.

Mr. Trippier: Then I shall take advice on that point.

Amendment (b) to Lords amendment No. 25 would make it a requirement that the offer to reinstate a tenant should be made in writing. In practice, written evidence is not necessarily any more valid or compelling than oral evidence. Both can be equally subject to dispute. Any sensible landlord will make any offer in writing, but a tenant can deny that he ever received it. Copies can be forged. The court would still need to make up its mind whether a bona fide offer had been made, taking account of all the circumstances. I am afraid, therefore, that I cannot accept the amendment.

Amendment (c) to Lords amendment No. 25 would remove all the references in amendment No. 25 to the reasonableness of the tenant refusing reinstatement if he had obtained alternative accommodation. The Lords amendment enables the court to consider fully the reasonableness of the tenant refusing an offer of reinstatement.

A landlord should not be liable for extremely heavy damages because his tenant happens to find more congenial alternative accommodation. Amendment No. 25 focuses the court's mind on the reasonableness of a theoretically homeless tenant going back to accommodation from which he has been illegally evicted. Amendment (a) to Lords amendment No. 27 seeks to prevent a landlord from claiming that he had reasonable grounds for doing acts or withdrawing services where he had a case for proceeding against the tenant or someone living with him on one of the misconduct grounds.

The amendment is not helpful. The grounds referred to in clause 27(7)(b) are not the statutory grounds for possession in schedule 2, and it is misleading to insert a reference to them as amendment 27(c) does. The subsection as amended enables a landlord to offer a defence that he had reasonable grounds for some act he had committed, which caused the occupier to leave the premises or otherwise interfered with his enjoyment of them. Misconduct by the tenant which provoked him to a particular act might or might not be considered by the courts to be reasonable grounds for that act. The courts will of course always be aware that illegal eviction and the withholding or withdrawing of services can be criminal offences, and that the proper way in which to obtain possession is through the courts, and will have that in mind

[Mr. Trippier]

in assessing any situation. There is no case for an amendment on the lines of amendment (a), and I am afraid I cannot accept it.

Mr. Boateng: The manner in which the Under-Secretary of State dismissed the question asked by my hon. Friend the Member for Hammersmith (Mr. Soley) about the availability of legal aid to people who complain of harassment by their landlords will have caused a great deal of anxiety among those of us who advise and assist the victims of such harassment. It will cause even more concern to the victims of harassment. I urge the Minister to take immediate advice before the debate on this amendment closes.

The idea that legal aid is readily available in cases such as these—to all manner and classes of person, as the Minister describes them—is absolute nonsense, and I choose my words advisedly. One of the major causes of concern to practitioners of all party political persuasions about the resourcing and administration of the legal aid scheme is precisely that there are groups of people of relatively modest means and people who have little or no income but must rely on savings who are excluded from legal aid because of the civil legal aid regulations. It is not good enough for Conservative Members to say that that is not true, as those of us who spent many hours considering the Legal Aid Bill in Committee expressed our concern over that. There is no room for complacency.

Mr. Trippier *rose*——

Mr. Boateng: I see that the Under-Secretary of State is champing at the bit. I am happy to give way, in the hope that he may be able to give some reassurance to those of us who follow these issues carefully.

Mr. Trippier: I have taken the hon. Gentleman's advice and taken legal advice as quickly as possible. The hon. Gentleman is in danger of misleading hon. Members by suggesting that changes to legal aid are affected by what we are talking about. I am not sure that what the hon. Member for Hammersmith (Mr. Soley) said is on the record, as it was semi sotto voce, but he was speaking of cases of this kind. My understanding was that he was talking about housing matters and said that legal aid was being withdrawn in housing matters. That is not the case. I am sorry, but there appears to be a dispute between the hon. Member for Brent, South (Mr. Boateng) and the hon. Member for Hammersmith.

Mr. Boateng: My hon. Friend the Member for Hammersmith will make himself clear.

Mr. Soley: The Government's proposals for legal aid, which they are changing, will make people less eligible for legal aid, and in some cases, people who would have got legal aid will not get it in future.

Mr. Boateng: That is the point. Nothing that the Minister said in response to my hon. Friend the Member for Hammersmith gives any comfort when it comes to the availability of legal aid for the victims of harassment. That is because of the changes in the regulations pursuant to the Legal Aid Act 1988 and changes in the quantum of damages, the likely remedy available to those who allege harassment and their chances of success. Those who apply for legal aid in cases of alleged harassment by landlords do not stand the sort of chance that they should have of receiving legal advice and the assistance that they so desperately need. It is on these issues that we seek clarification from the Minister. When he reflects upon them in the fullness of time, he may return with a more considered and reassuring response.

I shall reflect generally on the impact of the amendments on the mischief that is recognised by hon. Members on both sides of the House. There are several ingredients that would feature in an effective law against harassment. Central to these is the likelihood of the landlord who is determined to ride roughshod over the rights of the individual tenant not being in any way facilitated by the processes of the court. The issues that we seek to address in considering the amendments go precisely to that point.

We are anxious to ensure that landlords do not drag out proceedings in a way that is beneficial to their purposes. We are anxious, too, to ensure that the quantum of damages will act as a real deterrent to the landlord who is determined to make a quick buck by inflicting hardship and suffering on the tenant and excluding him or her from the premises. I am talking of the landlord who will be prepared to winkle out a tenant by putting him or her at a disadvantage in terms of occupancy of the premises.

We are concerned to ensure that nothing gives the impression to the landlord that he stands to gain anything by going to court and telling a pack of lies. Experience shows those who have had anything to do with advising professionally, whether they be citizens' advice bureau workers, lawyers, or tenancy relations officers, that when a landlord will benefit from lying, he will lie shamelessly and blatantly to maximise the opportunity for profit. Our concern is that he should be deterred from so doing. If he believes that he can minimise his loss by making allegations about the conduct of the tenant, he will do so. The amendment seeks to ensure that that will not substantially reduce damages.

If he can say that he has given notice and has made an offer to a tenant of reasonable alternative accommodation when he has not, and he is not required to show that he has made that offer in writing, he will do so. That is why we require the individual to make the offer in writing. Then it is there in black and white. It is that sort of amendment that gives the tenant and those who advise him the certainty that he does not simply have rights on paper but remedies in reality. When one talks of harassment in the real world, a right without remedy is meaningless when it comes to seeking to achieve a particular purpose.

9.30 pm

Mr. McCartney: Recently in my constituency, a landlord offered tenancies to two young women and said that dogs, other animals or children were not allowed. Subsequently, one of the women became pregnant. The landlord attempted to remove her from the tenancy on the basis that he and his solicitor wrote saying that she had broken the terms of the tenancy by becoming pregnant and so should remove herself forthwith from the premises. That has happened. Given what my hon. Friend has just said about the right of access to legal assessment, will the amendment help such a tenant?

Mr. Boateng: The Opposition's amendment would at least give such an individual a greater sense of security and certainty that there would be an effective remedy; that

there would be an appropriate quantum of damages if the case were made out; and that there would be a greater and more stringent test that the landlord would be obliged to fulfil than is currently the case. That is self-evident on the face of the amendment.

However, one must recognise the market context into which the amendments fall in which there will be every economic incentive for the landlord to get the tenant out, come hell or high water. The great danger of the path down which the Government have sought to go in this area of housing; their reliance on the private market; their obeisance to the mythology that somehow the private sector and resources within it will free accommodation into the housing market, is that even with the safeguards, even as we seek to amend the Bill, there will not be sufficient protection for the individual tenant..

That is why, when this matter was considered in the other place, time and again noble Lords on both sides and on no side sought reassurances from the Minister of State. We say that the reassurances that they gleaned are inadequate and need to be supplemented in the way that we seek tonight.

Mr. Winnick: Is not one of the dangers that landlords with regulated tenants feel that they are being discriminated against? Clearly, if the letting occurred once the Housing Bill becomes an Act, market rents would be the order of the day. Therefore, those landlords and property companies with existing tenants will ask why they should continue to be discriminated against by their tenants not being forced to pay the full whack.

Rachmanism emerged at the time of the 1957 Rent Act and the great danger is that the gangster element in the private sector—I hope that most landlords will not use such methods—will use any means to get a tenant out and not be particularly concerned about a fine, because once a tenant is out he will have achieved his objective.

Mr. Boateng: Of course that is so. Under this legislation, the pressure will be on to get the old tenant out and a new tenant in under the new arrangements. Once that is done, the landlord can charge what he likes and get the tenant out whenever he wants. That is the whole philosophy behind this Bill.

I am anxious that the Minister should respond, amendment by amendment, to our arguments. I begin with Lords amendment No. 23, the purpose of which is to prevent a landlord from dragging out proceedings brought by a tenant under clause 27 with the aim of discouraging a tenant's claim for compensation. In other words, the landlord might otherwise deter a tenant from bringing the matter to trial by dragging out the proceedings for as long as he could. Under clause 27 as drafted, a landlord could avoid liability either by reinstating the tenant before proceedings begin or by observing a court order that the tenant be reinstated.

On Report in the House of Lords, a Government amendment was accepted allowing the landlord to avoid liability by reinstating his tenant at any time prior to the completion of the court case. However, that claim is wide open to abuse by landlords. The Under-Secretary of State and those who advise him must surely appreciate that all too often, a tenant will be unable to secure a court order for reinstatement. One of the most common tricks—it is one that predates Rachman—is that the landlord relets the property. He will then have every incentive to spin out the proceedings, expecting that the original tenant will give up his case.

Those of us who have been in legal practice—there are practitioners in all parts of the House—know that to be so. We have been party to such attempts and have sought to negate them when they impact adversely on our clients. However, the fact remains that many tenants will give up. The point rightly made by my hon. Friend the Member for Hammersmith, and dismissed so disparagingly by the Minister, was that under new legal aid regulations, the plaintiff in such a case will have to make his legal aid contributions as long as the case continues.

It must be clear even to the Minister that there is a positive advantage to the landlord in spinning out court proceedings, knowing that the longer will be the period in which the tenant must continue making legal aid contributions. Not only will the tenant be without a home, but he or she will be paying for being homeless. It may or may not be the case ultimately that the tenant concerned will get his money back—but he will have to take that risk. That will cause many tenants to give up.

Mr. Soley: My understanding is that, if the landlord makes an offer to reinstate the tenant towards the end of a court case, the proceedings will stop—but that, if afterwards the landlord again takes steps to get rid of the same tenant, that tenant will have to start proceedings all over again.

Mr. Boateng: That is the horror of the situation, and we hope that the Minister will respond. We are making these points not for the sake of doing so, but because we are anxious for clarification. We do not want to believe that such may be the case, but all the evidence from the plain words of the Bill, and from our experience of such cases, is that that is what will happen. In the case that I described, only in the unlikely event that the tenant pursues his case to its conclusion, which could take several years, will the landlord have to decide between reinstating that tenant or paying compensation under clause 27.

Although, as my hon. Friend the Member for Hammersmith has said, the last-minute reinstatement of the tenant will not enable the landlord to avoid liability for ordinary compensatory or exemplary damages—unless the tenant gives up that claim as well—the amount of such damages is usually far lower than the gain to the landlord from illegally evicting. That is why clause 27 is in the Bill. Its deterrent effect will be substantially reduced, because any unscrupulous landlord—in fact, any landlord determined to maximise the value of his property—is bound to use the "wait and see" tactic.

Mr. Winnick: It is interesting to note that, on Second Reading, the Secretary of State said in reply to an intervention of mine about the strong possibility of a repeat of Rachmanism that one of the changes from the Rent Act 1957 was that powers were being taken against unscrupulous landlords. Do not the Government anticipate a number of Rachmans, Bergers and Hoogstratens who will use every means possible to try to get out tenants who are at present protected by law? They will have every incentive to do so, because lettings will then be subject to market rents and tenants will have to pay far more than they do now.

Mr. Boateng: During the various stages of consideration of the Bill in another place, the Minister of State was quite candid. He said, as we do, that while the Hoogstratens of this world were not necessarily typical of all landlords—mercifully—the pressure would nevertheless be there. As long as the pressure is there, we have a responsibility, here and in the other place, to get the matter right. We say that the other place did not get it right, and we want to know how we can try to get it right now.

Dragging the case out would not necessarily lead to any increase in the amount of ordinary damages. *[Interruption.]* I hear an hon. Member, from a sedentary position—[HON. MEMBERS: "It is the same one."] It is the hon. Member for Wirral, South (Mr. Porter) again. He is accusing us of dragging out this debate. Let me tell him that we will drag it out for as long as it takes to protect those in this city and elsewhere who, day in, day out, live in fear of the sort of landlord whom we have a duty to deter. We will do it if it takes all night. This is not a cause for ironical cheers or hand clapping on the part of the hon. Member for Wirral, South. He does no credit to himself or his party by acting in that way. Many Conservative Members take this matter seriously. I hope that the Minister takes it seriously, because we certainly do, and we intend to persist with it.

It does not seem unreasonable to want the purported purpose of the amendment made into a reality. We do not want the position that we fear would result if the amendment were carried in its current form, in which the landlord would be given a last chance to reconsider his position in the light of the possible salutory effect of court proceedings. Nor do we believe that our requirement would be met by giving the landlord a limited time after court proceedings have begun in which to reinstate the tenant. In practice very few landlords will be able and willing to reinstate the tenant more than six months after proceedings start. That is how it will be in the real world. In order to protect the tenant and create a climate in which responsible landlordism is encouraged and to provide a context in which the Hoogsbratens of this world and others of that kind are discouraged it is necessary that our amendment to Lords amendment No. 23 is accepted.

9.45 pm

Amendment (a) to Lords amendment No. 25 is a short amendment in which we seek simply to leave out the words, "is reasonable" from clause 5 and insert in their place

"would be wholly unjust not".

Again, the reason for that has its heart in our wish to make sure that everything possible is done to reduce the opportunity for misconduct on the part of the landlord. As the Bill was originally drafted, the court had no power to reduce compensation for alleged misconduct by the tenant. Under the Bill as amended, the court can reduce the amount of compensation by such an amount as it considers appropriate if the conduct of the tenant or any person living with him makes it reasonable to do so.

In Committee, the Earl of Caithness, speaking on behalf of the Government, rejected amendments that would give the court a wide discretion as to how much compensation to award for illegal eviction and harassment. We agree with him in saying:

"We want the courts to award damages which fully compensate the tenant, not to be able to reduce the sum to a point where every landlord can afford to harass, knowing that the gain he makes from his illegal action will outweigh the penalty imposed by the courts."—[*Official Report, House of Lords*, 25 July 1988; Vol. 500, c. 94-5.]

The noble Lord Jenkins took the view that full compensation should be awarded save

"in wholly exceptional circumstances"

or

"if the damages as assessed under Clause 18 are manifestly unjust in all the circumstances of the case."—[*Official Report, House of Lords*, 25 July 1988; Vol. 500, c. 93.]

On Report, the Minister of State pointed out:

"If the discretion given to the court is too wide, we suspect that damages awarded are likely to continue at present levels which often bear relationship to the tenant's loss."—[*Official Report, House of Lords*, 24 October 1988; Vol. 500, c. 1420.]

The noble Lord was recognising a factor with which many of us have had to deal in constituency cases. There are the most horrific examples of bad landlords. Even though the tenant has proved his case with the assistance of the tenancy relations officer—we know how hard that that can be and how difficult the evidential burden is—even though the tenant has gone through all the hoops, the amount awarded is almost derisory in terms of its relationship to the loss, hardship, suffering, mental torment and anguish undergone by the tenant.

We find it difficult and unacceptable that the Bill as amended does not achieve what the noble Lord wanted it to achieve, in that the court will still able to exercise a wide discretion, so wide as to render nugatory the aims and objectives of the Minister of State, which we entirely accept.

There is no definition of when it is reasonable to reduce compenstion for misconduct, or by how much it should be reduced. The result of that will be that landlords will be encouraged to raise false allegations of misconduct—a fear that we expressed earlier—in the hope of reducing compensation to a lower level than their gain from the eviction, so weakening the deterrent effect of clause 27 which we are anxious to see strengthened. It would also be open to the court to reduce compensation for trivial or isolated acts of misconduct. The amendment seeks to make it clear that such a reduction should be made only in exceptional circumstances when it would be wholly unfair not to do so.

The power remains with the court. The avenues by which to arrive at a just decision are not open to it. There are precedents in the wording of statutes for saying that this power should be exercised only in exceptional circumstances in which it would be wholly unfair not to exercise it. So the emphasis is on deterrence and on protecting the tenant—that is what we are trying to do. That is what all reasonable people should try to do, recognising the pressure that will be on the tenant.

The pressures have already begun to show themselves. My hon. Friends will know from their work and from messages that they receive from advice centres, law centres and local law societies the extent to which, in anticipation of the Bill and the largesse that it will make available to landlords, the winkling has already begun.

Amendment (b) to Lords amendment No. 25 is designed to ensure that an offer of reinstatement is given in writing: that is only fair. Lords amendment No. 25 gives the court the power to reduce the amount of compensation that the tenant would otherwise receive if it appeared to the court that before the proceedings began the landlord offered to reinstate the tenant and that offer was unreasonably refused.

Mr. Winnick: Does my hon. Friend agree that one of the fallacies in the Government's thinking is the belief that the tenant and the landlord are equal parties to an agreement and that no outsider need therefore intervene when a deal is negotiated? That is sheer madness in places where there is an acute housing shortage, and where landlords have all the power and prospective tenants have none.

This Bill would merely reinforce landlords' power. We recognise that some of them abide by the law—all the same, it has been tilted in their favour—but unscrupulous landlords will consider themselves mugs if they do not take all possible steps, legal or otherwise, to get tenants out. I see the Minister shaking his head, but why on earth should not unscrupulous landlords do their utmost to get tenants out? That makes all the sense in the world. Once the tenants are out, the landlords can do what they like with the, accommodation—let it at market rents, for instance.

Does my hon. Friend agree that his proposal is the minimum required? If the Government do not accept it they are clearly indifferent to what will happen—my hon. Friend has said that it is already happening. Tenants will be pressurised and harassed.

Mr. Boateng: I entirely accept that, and I welcome my hon. Friend's intervention. There is nothing onerous or unreasonable about requiring a landlord who claims that he has offered to reinstate a tenant and who has received an unreasonable refusal to give evidence of that offer in writing. We have yet to hear any reasoned objection to that proposal from the Government. What can be wrong with asking a landlord who says that his offer was unreasonably rejected for written evidence of his offer? One of the ways in which the courts have traditionally attempted to balance the unequal relationship between landlord and tenant has been to require, if not written evidence, at least something that shows the existence of an agreement which can be of value to, and can be taken into account by, the courts.

In such circumstances, what could be more reasonable than saying that the whole agreement need not be in writing but that if a landlord seeks to rely on a tenant's unreasonable refusal of his offer, he must show that that offer was made in writing? Otherwise, landlords will have every reason to maintain falsely that they made an offer, on the offchance that the judge will believe them. That sometimes happens. Some people are accomplished liars and it is not always possible for the courts to detect such persons, although mercifully they often do; one has a certain feel for such matters. It is not unreasonable to make such a requirement and so deter those who seek to reduce compensation and waste the court's time by laying a false trail. The Minister has given no satisfactory explanation as to why the amendment should be rejected.

Amendment No. 25 requires the court to determine whether it was unreasonable of a former residential occupier to refuse the offer. Clause 27(6)(a) gives the court the power to reduce the amount of compensation that the tenant would otherwise receive if it appears that, prior to the proceedings beginning, the landlord has offered to reinstate the tenant and that offer has been unreasonably refused. Under the Bill as drafted, the court cannot take into accounts in deciding whether a refusal of an offer to reinstate is unreasonable, the fact that the tenant may have obtained alternative accommodation, however well settled the tenant may have become.

Suppose that a tenant has been pushed out of his home in horrendous circumstances. Having gone through what can be an extremely traumatic experience, the natural thing for him to do is to put down roots as quickly as he can in his new abode. We say that it is wrong that the courts should not be able to take that into account when determining whether the residential occupier unreasonably refused the offer of reinstatement. It is a simple amendment strengthening the hands of the court in arriving at a just decision.

The Opposition have tabled a bundle of amendments seeking to remedy the fact that the protection given is insufficient for the purposes set out in the Bill. We seek to protect the tenant from the harassment that will result from the Bill and to give the courts the powers and discretion to exercise their function in a just way and allow them to establish the true relationship between landlord and tenant rather than to allow the landlords deliberately to obscure the truth.

We commend the amendments to the House in the context of a Bill that has already had a marked impact on the incidence of harassment in our constituencies. It is not good enough for Ministers in this House or in another place to tell us that we have no need to fear because everything will be all right and that the provisions are the best that can possibly be arrived at. That reassurance will fall on deaf ears in terms of those at the cutting edge of the housing crisis and the current spate of speculation in housing.

It being Ten o'clock, the debate stood adjourned.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Lords Amendments to the Housing Bill, and the Lords Amendments to the School Boards (Scotland) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Maclean.]*

Housing Bill

Lords amendments again considered.

Question again proposed, That this House doth agree with the Lords in the said amendment.

Mr. Boateng: It is like the scene in "The Devil's Triangle" in which the sea captain throws a lifejacket to a drowning man as the sharks begin to circle and at the same time throws in a bucket or two or offal. Nothing is more certain to attract the speculative sharks infesting the landlord and tenant sea than the smell of blood. This legislation has given them the smell of blood. We seek to substitute a raft for the lifejacket. That is all that we seek to do, but we commend it to the House.

Mr. Soley: My hon. Friend the Member for Brent, South (Mr. Boateng) has adequately explained the problem. I shall not delay the House long, as we need to vote on this important matter.

The Government have based the legislation on the belief that they could revive the rented sector. To try to protect themselves from the charge of Rachmanism, which has given them so many problems in the past, they claim to have put in strong safeguards against harassment. We argued throughout the Committee stage that that was not so and we believe that we have proved the point.

Here, I pray in aid one whom I would not normally wish to have on my side—Mr. Hoogstraten, who, in the famous "World in Action" programme, said that he

[Mr. Soley]

regarded the Bill as a step in the right direction. When I wrote to the then Minister pointing that out, he replied that he did not think that Mr. Hoogstraten understood the Bill. I believe that Mr. Hoogstraten understands the Bill very well, and I assure the House that his solicitors understand it perfectly. As a result of this legislation, they will be able to get evictions far more easily than ever before. With an assured tenancy, all they have to do is to tell the tenant that they intend to carry out major works. They can then get an eviction just like that—no court case, nothing.

The Minister intervened on my point about legal aid. Some Conservative Members believe that the relationship between landlord and tenant should be a simple legal relationship and that, if either side feels that the other is not acting according to the contract, they should go to law. My point to the Minister was that legal aid would not be available in all such cases, particularly in view of the impending changes, and that in many cases the person would not even get to a solicitor in the first place. The Government do not begin to understand how serious that is, nor how varied are the practices involved.

I cite just one example—a constituent of mine who describes himself as well placed to look after himself, well educated, and so on. In that instance, the absentee landlord deliberately failed to pay the mortgage, thus inciting the mortgage company to foreclosure and eviction. The landlords sent messages to the mortgage company indicating that they knew that the bailiffs would be calling and did not intend to oppose any eviction—all the while concealing the fact that there was a protected tenant in occupation of the premises.

My constituent states:

"It was only by luck that I was at home when the mortgage company's agent arrived which allowed me and my solicitor to negotiate a way out of this situation by informing the mortgage company that I was in situ."

That man was paying a rent of about £480 a month, he was represented by a solicitor and he was well able to speak for himself. Despite that, he was advised that it was becoming increasingly common for a landlord deliberately to foreclose on a mortgage and set up an illegal eviction by keeping quiet about the existence of a tenant. Once that luckless tenant is out on the street, the landlord steps forward and pays the mortgage arrears to the mortgage company, thereby re-establishing himself with full control over the premises, having successfully short-circuited all protection given by the law to the tenant.

If the Government were genuinely concerned about dealing with eviction, they would give local authorities, tenancy relations officers, law centres or some other group in society the power to act on behalf of individuals. They have not done so. Indeed, they are taking away those powers and there will be an increase in the number of evictions. The majority of landlords are very good and have good relationships with their tenants, but there is a large minority of bad landlords. The Government have the cheek to criticise some local authorities that may be bad managers, but they never seem to worry about the Hoogstratens and Rachmans of the world. That is a damaging indictment.

It is a fact of life that such people exist and we know that those who will be most at risk are generally the disadvantaged—those least able to speak for themselves or to put their case to a lawyer. We urge the Government, even at this late stage, to accept what we believe their Lordships intended, which was to tighten the law relating to the Rachmans and Hoogstratens. I believe that eventually the Government will have to go even further, because if they do not, in years to come there will be hideous stories of abuse by individual landlords against tenants who cannot stand up to them in a court of law because they will have neither the resources nor the ability to do so. That is the problem, and that is why we shall vote against the Government.

Mr. Speaker: I shall put the Question on Lords amendment No. 20.

Mr. Soley: On a point of order, Mr. Speaker. I understood that the Government were intending to reject the amendments. We certainly wish to vote against Lords amendments Nos. 22, 23 and 24.

Mr. Speaker: I have received no such indication.

Question put and agreed to.

Lords amendments Nos. 21, 22 and 23 agreed to.

Lords amendment: No. 24, in page 19, line 34, at end insert—

"and for the purposes of paragraph (a) above, proceedings to enforce a liability are finally disposed of on the earliest date by which the proceedings (including any proceedings on or in consequence of an appeal) have been determined and any time for appealing or further appealing has expired, except that if any appeal is abandoned, the proceedings shall be taken to be disposed of on the date of the abandonment"

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Mr. Trippier.]*

Question put:—

The House divided: Ayes 237, Noes 188.

Division No. 481] **[10.8 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brittan, Rt Hon Leon
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Field, Barry *(Isle of Wight)*
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hamilton, Hon Archie *(Epsom)*

Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Heathcoat-Amory
and Mr. Michael Fallon.

NOES

Abbott, Ms Diane
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Paddy
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
John, Brynmor
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McCartney, Ian
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John

Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Noes:
Mrs. Llin Golding and
Mr. Ken Eastham.

Question accordingly agreed to.

Mr. Nicholas Bennett (Pembroke): On a point of order, Mr. Speaker. Can you confirm that the decision on the procedure that you adopted immediately before the last vote was exactly the same as that adopted at 9.51 pm last night before Division No. 478?

Mr. Speaker: I was not present at 9.57 last night. There was some slight confusion, but I think that we got it right in the end.

Lords amendments Nos. 25 to 33 agreed to.

Clause 31

EXCLUDED TENANCIES AND LICENCES

Lords amendment No. 34, in page 23, line 34, after "if" insert "(a)".

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Mr. Ridley.]*

Mr. Speaker: With this it will be convenient to discuss Lords amendments Nos. 35 and 36.

Mr. McCartney: I wish to speak to amendment (a) to Lords amendment No. 35. It is important to describe the background to rural deprivation. We have concentrated in this debate on inner-city deprivation—*[Interruption.]*

Mr. Boateng: On a point of order, Mr. Speaker. A number of hon. Members are trying to listen to my hon. Friend the Member for Makerfield (Mr. McCartney), but it is very difficult to do so because of the off-noises on the other side of the Bar.

Mr. Speaker: I understand. Will those hon. Members who are not in the House but beyond the Bar kindly leave the Chamber and carry on their conversations elsewhere or come into the Chamber and listen to the debate?

Mr. McCartney: Thank you, Mr. Speaker, for your protection.

Before I was so rudely interrupted, I was about to say that so far in this debate we have concentrated on inner-city deprivation, the role of the private sector in the housing market and the lack of resources allocated to public sector housing. In this amendment, we concentrate on the rural poor and the housing crisis in rural England, Wales and Scotland.

In 1981, the Department of the Environment asked Mr. Brian McLaughlin to prepare a report on rural poverty among low-paid workers, in particular among agricultural workers and those who live in villages and hamlets. The report was so devastating in its criticism of Government policy that it was not published by the Department until 1986. It is known as the deprivation of rural areas report and it highlighted major social problems. It revealed that 25 per cent. of households in rural England live on the poverty line.

The gap between rich and poor in rural areas is widening. It has been especially noticeable since 1985. Nationally, about 11 per cent. of all households have a gross disposable income of at least three times that of those on supplementary benefit. In rural England, the figure is 26 per cent., so a minority—the rural poor—are living among many affluent people. *[Interruption.]* From a sedentary position, the hon. Member for Birmingham, Northfield (Mr. King) is interrupting. If he is so knowledgeable about the problems of the rural poor, he should get to his feet and make a contribution to the debate. If not, he should be quiet.

For the last 12 months, Opposition Members have been attempting to improve the Bill to benefit the rural poor, but—*[Interruption.]*

Mr. Speaker: Order.

10.30 pm

Mr. McCartney: Thank you, Mr. Speaker.

Just under 7 per cent. of houses in rural areas are unfit for human habitation. That appalling figure is higher than in most urban areas in Britain. There is a shortage of housing for the poor working classes in rural areas—agricultural workers, retired agricultural workers, the semi-skilled and the unskilled. Many people have been forgotten in the surge to improve rural housing. People indigenous to the rural community have been forgotton in the headlong rush of people moving out from urban areas, who have taken much of the refurbished housing stock at the expense of local people. Add to that reductions in rate support grant to rural district councils and county councils, and we find that a continuing financial and social problem afflicts many rural communities. There have been changes in housing benefit, and the safety net of inadequate public sector housing provision cannot deal with the mounting problems of homelessness.

Despite their inactivity of the past few years, the Government were moved this summer to consider the problem of the rural economy and rural housing. This month, in *Rural Housing*, David Clark wrote in an article entitled "Countryside homes":

> "There is a real housing need in villages. Local people simply cannot compete on equal terms with the increasing numbers of more affluent incomers, whether they be commuters, retired or second homers. That comes through strongly in the recent reports from the Association of District Councils, and from the village appraisals and housing surveys produced by parish councils and rural community councils throughout the country, summarised in ACRE's new publication, Affordable homes in the countryside.

That independent assessment tells the Government clearly that the crisis in rural housing is continuing apace.

In response, the Government published on 5 July the White Paper dealing with housing in rural areas, which

relies heavily on the role of the private sector. The Minister will have to explain the consequences of his policies on security of tenure for private sector tenants in rural areas. Paragraph 13 of the Government's response says of the private sector:

"The Government is keen to establish a greater choice in the provision of rented housing in rural areas as elsewhere. Housing associations should not become the monopolists of the future. Private sector landlords and developers also have an important role to play. In the past the problem has been that the private sector did not envisage being able to make a sufficient return through the provision of lower cost housing at prices that local people could afford. In the rented sector the Government has launched several important measures to encourage investment. First, the Housing Bill will remove statutory rent control from all new lettings. Landlords will be able to charge market rents while tenants will have long term security under assured tenancies and a minimum of six months security on a short hold tenancy. Second, the Business Expansion Scheme is to be extended for the period up to the end of 1993 to cover companies providing housing let on the new assured tenancies."

That is how the Government envisage the private sector intervening in rural areas.

There is continuing pressure on the market in rural areas, but the ability of agricultural workers, retired agricultural workers and private tenants to affect that market is almost non-existent. It is nearly impossible for them to get a house to rent at a proper rent. It is virtually impossible for the rural poor to enter even the lower end of the house buyers' market. The average price of a house in East Anglia now exceeds £35,000.

Those who operate in the private sector will make substantial profits as they increase rent levels and see their property investments increase in value during a housing crisis. The amendment is an attempt to ensure that those living in private rented accommodation retain their existing rights and will not be subject to eviction by their employers without a court order.

The Government made it clear in the document that they produced in July on the housing crisis in rural areas that they would provide substantial opportunities for farmers and owners of accommodation in farming areas to take advantage of the business expansion scheme and other schemes and to utilise their accommodation by increasing their income from rents and by making sales on the open market. It is important that the Minister gives the House assurances that bear on the Rent (Agriculture) Act 1976, including the rights within that measure of agricultural workers.

In another place, an amendment was introduced by the Government to extend the range of excluded tenancies and licences to include those whose tenancy or licence was granted otherwise than for money or money's worth. The Earl of Arran said that the aim of the amendment was to allow eviction without a court order of the non-paying guest who lives completely rent-free. The relevant passage can be found in the House of Lords *Hansard*, at column 406 on 3 November 1988.

The amendment was tabled as a consequence of a commitment that was given to Lord Meston on Report. It catches the non-paying guest who lives in accommodation rent free, but it may exclude from protection from eviction employees who live in tied accommodation rent-free. For example, an employee may have a contract that states that his accommodation will be provided rent-free. He will not be able to point to an agreement that shows that he is getting accommodation in return for money or services. The courts may find that such a person is excluded from protection, which may result in him being evicted without a court order being made. That is unacceptable, and I do not believe that that was the intention behind the amendment moved in another place. I hope that the Secretary of State or the Under-Secretary of State will give us that assurance.

A non-paying guest is not in the same position as an agricultural worker or retired agricultural worker. Unscrupulous property owners, absentee farmers or working farmers should not be able to use the amendment that was moved in another place to remove tenants and obtain capital gains at their expense. I hope that we shall receive a clear sign that it is the Government's intention to protect tenants who come within the terms of the 1976 Act.

Mr. Richard Livsey (Brecon and Radnor): As a former farm manager who had some responsibility for farm workers' housing including tied cottages, I believe that there is a housing crisis in the countryside. Many tied cottages have become extremely valuable to the owners because there is no real alternative accommodation. Owners want agricultural workers to get out of their houses so that they can put them on to the housing market in rural areas.

When an agricultural worker takes a job, he will normally sign a contract of employment. Provision is often made in a contract for the worker to live in property that is owned by the farmer or landowner. I do not want agricultural workers to have less security of tenure than they enjoy now. In days gone by, many enlightened landlords ensured that the widows of farm workers who had perhaps worked on an estate or large farm for 30 or 40 years or more could remain in their cottages for the rest of their lives.

We are dealing with relatively low-paid workers and, because of the reduction in local authority housing stock as a result of the right-to-buy legislation, particularly in rural areas, there is often no alternative accommodation for farm workers who have lost the tenancies of tied cottages. Will the Secretary of State assure us that farm workers will be given the opportunity to remain within the tenancy until they can find an alternative tenancy in the locality?

In days gone by, when tenants of tied cottages changed their jobs, there was always local authority housing. Such opportunities no longer exist, yet it is important that such a tenant moves on because another farm worker may well need the house. The lack of alternative housing creates a serious situation for the agricultural worker and his family. I hope that the Secretary of State will say what security such tenants will have.

Mr. John Home Robertson (East Lothian): I am grateful to my hon. Friend the Member for Makerfield (Mr. McCartney) for drawing attention to the importance of rural housing in England. I hope that my hon. Friend, who I know is proud of his English constituency, will not object to me, a Scot representing a Scottish constituency, taking part in this important debate on rural housing in England and Wales. After all, I live close to the English border. Indeed, I can see a number of rural houses in north Northumberland from my house.

I was particularly interested to hear my hon. Friend refer to the Rent (Agriculture) Act 1976 which was enacted under the previous Labour Government when my hon. Friend the Member for Edinburgh, East (Mr. Strang) was

[Mr. John Home Robertson]

the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food. Happily, he was able to steer that important piece of legislation through Parliament, affording some protection to tenants in tied housing in England and Wales.

The sad irony is that that Labour Government were not able to put similar legislation on the statute book for Scotland. My hon. Friend was able to protect farm workers in England and Wales, but in Scotland farm workers still have to cope with the old oppressive tied housing system, under which it is all too easy for tenants and their families to be evicted.

I am disturbed to hear that the amendment could undermine the protection that has been made available for tenants of tied housing in England and Wales. The 1976 Act was an important development in respect of such employees. It was said in another place that this provision was intended to deal with the problem of non-paying guests in farm cottages. Given the terms of contract to which the hon. Member for Brecon and Radnor (Mr. Livsey) referred, a high proportion of farm workers could be described as non-paying guests in the sense that they do not pay rent—but they give something in lieu of rent, by selling their labour very cheaply.

The agricultural wages boards set wages far too low, and all too many farmers, in England and Wales as well as in Scotland, pay only the basic wage. Their employees are provided with "free" accommodation as a perk, if it may be so described. It is often not really free, because the employees often pay dearly for what is often very bad accommodation by selling their labour far too cheaply. It is both offensive and misleading to suggest that such tenants are non-paying guests. They pay through the nose, or, more appropriately, by the sweat of their brows. Easing the eviction of tenants and their families in those circumstances would be an intolerable step for the House to sanction.

10.45 pm

A further problem will face the tenants of tied accommodation who work in farming and in other industries, with the introduction in Scotland of the poll tax in April. Hitherto, employers have paid the rates due on tied accommodation on behalf of their employees. In future, there will be a tax on the occupiers rather than on the property. There is no guarantee that tenants will have any more in their wage packets, yet they will suddenly find themselves having to pay the poll tax, while the farmer no longer has to pay any rates. The farmer will end up better off while his employees will be worse off.

I am profoundly disturbed that, as my hon. Friend the Member for Makerfield said, this provision could represent another retrograde step by the Government and undermine the already weak position of farm workers in rural areas. My hon. Friend was right to draw attention to several disturbing aspects of rural poverty and housing pressure in England and Wales, and I hope that the House will give them serious consideration.

Mr. Alan Roberts: Phrases such as "wicked Tory Government" trip off the lips very easily, but we believe that in this instance the Government may be mistaken in introducing legislation based on the concept of someone having a bare licence—for example, for putting up a friend who sleeps on the floor and where no money changes hands. However, this provision inadvertently applies also to tied tenants, and particularly to those in rural areas. We hope that the Government will consider all the points that have been made by my hon. Friends and by others in respect of this proposal and the related Lords amendments.

My hon. Friends have made it clear that they are very concerned about housing problems in rural areas, about tied tenants, and about the homelessness that will be created as a result of this Bill. It will be difficult for those affected to be rehoused—especially since the supply of public sector accommodation has dried up under the right-to-buy provisions. Rural property acquired under that legislation has not been replaced by either the public or private sector, and considerable housing stress and poverty now exists.

That is true not just of inner city constituency such as that which I represent. The local authority area of Sefton in which my constituency is situated embraces many rural as well as city areas, and as a consequence I am approached with problems by people from the rural parts of Sefton which I pass on to my hon. Friend the Member for Crosby (Mr. Thornton) and the hon. Member for Southport (Mr. Fearn). I hope that the Secretary of State will take on board our genuine concern and will respond by accepting our proposals.

The Secretary of State for the Environment (Mr. Nicholas Ridley): I congratulate Opposition Members on taking us for a delightful rural ride. We have been over the questions of the community charge, rural poverty and many other aspects of an important problem concerning rural housing, which I found fascinating to listen to. We were given the view from Brecon Beacons, the view of the Cheviot hills from East Lothian, and even the view of rural Sefton, which was a touching picture.

I have to say, however, that these attempts to spin out debate are not relevant to the amendment. The amendment is entirely concerned with whether those who pay no rent—I emphasise the words "no rent"—should be enabled to be got rid of without a court order. The reason for the amendment was correctly described by the hon. Member for Makerfield (Mr. McCartney) as being not to apply court order powers to non-paying guests. From that it was deduced that there must be many others who paid no rent to whom it would apply. I am delighted to tell hon. Members that tenants under the Rent (Agriculture) Act 1976 will not be affected by the amendment; nor will assured agricultural occupants, under the Bill. The whole agricultural sector is not affected by the amendment. I can therefore give hon. Members the assurances that they seek.

Question put and agreed to.

Lords amendments 34 to 36 agreed to.

Clause 34

NEW PROTECTED TENANCIES AND AGRICULTURAL OCCUPANCIES RESTRICTED TO SPECIAL CASES

Lords amendment: No. 37 in page 25, line 50, after "court" insert

"considered that, in the circumstances, the grant of an assured tenancy would not afford the required security and, accordingly".

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Mr. Ridley.]*

Mr. Speaker: With this we may take Lords amendments Nos. 38 to 44 and amendment (a) thereto.

Mr. Tony Banks: I beg to move, as an amendment to the Lords amendment (a), in line 2, leave out

'would not afford the required security'

and insert

'shall not be treated as affording the required security by reason only of the fact that the tenancy is an assured tenancy within the meaning of the Housing Act 1988'.

These amendments relate to clause 34, which is the first clause in chapter V of part I of the Bill.

Mr. Ridley: Lords amendments Nos. 37 and 42 deal with cases in which a landlord is seeking possession of his property on one of the grounds involving the provision of suitable alternative accommodation and the court directs that the tenancy of that alternative accommodation will be a protected or a secure tenancy, as appropriate. The amendments make it clear that in directing that the new tenancy will be a protected or a secure tenancy the court does so because it does not believe that an assured tenancy would offer the required security. The amendments thus clarify the position and guide the court in coming to a decision.

Amendment (a) is presumably based on the argument that the Lords amendments do not go far enough to meet the commitment that was indeed given in another place that the issue would be clarified, but we are entirely satisfied that our amendments meet the stated objective. It is true that they do not replicate the wording of the comparable provision in the Housing and Planning Act 1986. The wording of the 1986 Act was part of a consequential amendment to schedule 15 of the Rent Act. The wording of this Bill is part of a description of the types of tenancies which can be protected tenancies after commencement. In both cases, although the wording is different, the effect is that the court is not automatically to assume that an assured tenancy gives the required protection.

I can assure the hon. Member for Newham, North-West (Mr. Banks), despite the length, depth and breadth of feeling, that the provision as it now stands achieves what is needed, and his amendment is unnecessary.

Mr. Battle: I am grateful to the Secretary of State for his response. It is true that the concession for which we pressed in Committee received that response in the other place where it was reported in column 1457 of the House of Lords *Hansard* that the Minister said that the Government "accept the principle" behind the Opposition amendments seeking this change. On Third Reading, the Minister said that he had been advised that the Government amendments would meet our concerns. However I wish to press the Minister to ask him a forthright and open question. Will it still be open to a county court to decide that an assured tenancy per se is equivalent in terms of security of tenure to a Rent Act tenancy, regardless of the contractual terms drawn up

[Mr. Battle]

between the tenant and the landlord? It would seem that the court is free to fuse the two, but in fusing the two, tenants' rights will be weakened.

If I may refer to other amendments in this group, it seems that the Government consistently have rejected an appeal for a housing association tenancy. That proposition was lost by a mere 18 votes in the other place. However, there are differences between a secure tenancy and an assured tenancy which should not be blurred at this stage. The blurring of those differences means that some tenants will lose out. The issue particularly affects all new housing associations tenants, including any who may transfer under housing association trusts that are set up by the Government, or any public sector tenancies that are transferred to housing associations, as their security may be diminished when someone moves.

I urge the Minister to spell out that that will not be the case and give the courts clear guidance to ensure that the distinction is not fused. Otherwise, when the Bill is enacted, this section will be tested by case law and inevitably tenants will have to go through the courts to prove the difference between a secure tenancy and an assured tenancy.

I hope that, even at this eleventh hour, the Minister will reconsider the case for allowing a housing association tenancy. Housing associations have made it plain that they do not want to be considered simply as existing in the private sector. They are between the private sector and the public sector, and tenants of registered housing associations currently enjoy security of tenure and the package of rights that has become known as the tenants' charter. Those rights were introduced by this Government in the Housing Act 1980 and further Acts including the Building Act 1984 have received support from housing associations, local authorities and institutes of housing. Housing association tenants need to be clear that their rights will not be diminished, particularly with the prospect of public sector tenants moving to housing associations. Those rights include their right of tenure, their right of exchange, their right to take in lodgers, their right to sublet part of their house, their right to repair and improve their dwelling and their right to information about their tenancies.

I hope that the Government will reconsider the proposition that there should be a distinct and separate housing association tenancy. The amendments should not leave a fudge in the Bill so that tenants are unclear as to their rights and have to resort to the courts for definitions to find out the terms of their tenancies.

Mr. Simon Hughes: The title of clause 35—

"Removal of special regimes for tenancies of housing associations etc."—

shows that we are entering important territory. I shall not repeat the points made by the hon. Member for Leeds, West (Mr. Battle), with which I agreed. When it comes to a vote, I and my hon. Friends will support the Labour party's amendment to the Lords amendment, which raises several matters that the Secretary of State did not deal with.

11 pm

As is clear from the Bill, Government policy has now broken the consensus about the role of housing associations. That has created enormous uncertainty in the housing association movement. The Secretary of State will know of the long debates we had in Committee about the status of these associations. The hon. Member for Bootle (Mr. Roberts) tried at first to claim that they were public sector bodies: they are not. Labour Members—and all other hon. Members—agreed that they were not. *[Interruption.]* They are not public sector bodies, and the sooner the Labour party realises that, the better.

The then Minister for Housing tried to imply that housing associations were private sector bodies. Eventually, I got him to agree that they were not that, either. Nevertheless, they are being forced into a private sector regime. The housing association movement is unhappy about that. It has always seen its role as providing social housing for people who, according to the evidence of the latest survey, are on incomes just above social security levels and are in need of such housing.

I understand that the Prime Minister is now giving some encouragement to the idea of housing associations being perceived as private sector. I understand that she no longer wants the phrase "social housing" to be used; she wants this sector to be known as "subsidised housing". She is not in favour of housing associations being thought of as providing social housing. She wants it clearly stated that housing associations will be subsidised by housing association grant, and hence by Housing Corporation money—hence by public, taxpayers' money. If all that is true, and the Minister confirms it, it is very worrying and will be the first admission of such a state of affairs by the Government. Will this new terminology be heard after the Bill becomes law?

If what I understand is correct, it is a reflection of the Government's main motive in housing matters: gradually to reduce subsidy, without which the housing association movement cannot prosper.

This is Catch-22: the Secretary of State and his junior Minister have said that they need housing associations for their plans for the demunicipalisation of local government housing to succeed. I concede that more grant was allocated to the Housing Corporation in last week's Autumn Statement. If the corporation receives substantially more money in coming years to cope with the expected massively increased demands that will be placed on it, it should in theory be possible for that money to filter down to fund the growth of housing associations. Many hon. Members on both sides of the House would welcome that, as they regard housing associations as having a good record and representing a worthy third component in the provision of rented housing in Britain.

The housing associations are clearly saying that they do not want to be dragged up market. They want to continue to provide for their traditional client groups—mainly people at the bottom of the income scale. They will not be able to expand under the policies that the Government are forcing them to adopt without abandoning many of those groups. They are in a dilemma. They are being told that they must expand, yet at the same time subsidy is being reduced and private sector money is being encouraged to come in. I do not object to private sector involvement in itself, but without sufficient subsidy—in London that means 75 or 80 per cent., if not 100 per cent.—most housing associations will not expand. They will certainly not be able to expand to pick up the increasing number of people on low incomes who will need rented housing and who will not find it in the private sector. In theory, those

on housing benefit should be able to find it, because housing benefit should cover the rents, but we know from previous debates that that will not happen in practice.

If the housing association movement does not get the subsidy that it needs, it will not expand its operations but will prefer to continue on its present scale, housing the same people as it houses now. It will not fulfil the role that the Government have repeatedly said they wish it to fulfil.

After a year of debate, the Government still have not accepted the legitimate and reasonable wishes of the housing association movement or heeded the experienced voices of those in that movement. If they continue to fail to heed them—I say this more in sorrow than in anger—plans to expand the housing association movement may fail.

Those who have worked in the housing association movement know what they are talking about. They know which client group they want to serve and the criteria that have to be met if they are to do so. By their intransigence the Government will ensure that their policies for what most of us are not unhappy to call "social housing" will fail. I believe that there should be social housing; I am also happy for it to be called partnership housing. We need housing, provided in part with public funds, to meet the need of a particular client group. It would alleviate the housing associations' fears to some extent and reassure their tenants and prospective tenants if the Secretary of State—at the eleventh hour both literally and constitutionally—would give them greater encouragement.

I propose to press the Secretary of State once more on the question of what will constitute an affordable rent. On the basis of public assurances given by the Government so far, there seems to be absolutely no reason why they should not accept that affordable rents should be built into the regime that they are planning. The Secretary of State and his ministerial colleagues have come up with wording that suggests that they will impose on the Housing Corporation a duty to impose on housing associations a rent regime limiting rents in that sector to amounts that people in reasonable and low-paid employment can manage.

We need a statement from the Secretary of State to the effect that there will be sensible and affordable rents, as was orginally suggested in the consultation paper. In Committee, on Report, in the tenants' guarantee, in the Housing Corporation document about criteria for tenants' choice landlords and in the other place it has been implied that rents will be affordable. That was never defined and a year later we still do not know what it means.

Will the Secretary of State define, at today's prices, what an affordable rent for those on low pay would be? Would it be 20, 30 or 40 per cent. of the average manual wage in a given region? Without a figure, the phraseology is almost meaningless. I hope that the Secretary of State will give us a definition today. If not, will he give an undertaking that the concept of affordable rents will be defined in good time for the Housing Corporation and housing associations to understand what it means? The Housing Corporation also needs to know so that it can calculate the amount of income coming in and advise associations accordingly.

As the Secretary of State knows, the housing associations have made it clear that they want explicit provisions as to what rents are affordable, but the Government have so far resisted that request. At this late stage, we ask the Government to answer the question put to them by reputable housing professionals who know the low incomes of their clientele, the cause that the associations were set up to serve, and the massive pressure for affordable housing that there will be in the weeks and months ahead. Can we not have a guarantee on the face of the legislation that substance will be given to oral assurances about what exactly an affordable rent is?

The housing association movement began its consideration of the Government's proposals both troubled and anxious. The Government made various promises about tenants' guarantees and then resiled from them, so the guarantees are now less substantial than the housing associations were led to believe. The shape of the Bill has changed before their—and our—very eyes. I make this request to the Secretary of State because I am prepared to accept that he wants an expansion of housing associations and that that would be a good thing for the country. Now is the time to give the housing associations the reassurance that they seek and, if he can, to state that it is untrue that the Prime Minister and the Government wish to see an end to the defined concept of social housing. Can he assure us that the Government are willing to continue to use the term and to give people in such housing the same respect and status as anyone else, and that they do not intend to start defining housing associations as part of the private sector and social housing as subsidised housing and thus seek to go down the slippery slope which eventually leads to less and less grant, higher and higher rents and less and less ability to meet real housing need?

Mr. Winnick: I support the hon. Member for Southwark and Bermondsey (Mr. Hughes) who, I believe, described himself earlier as a Liberal.

Mr. Simon Hughes: There are two more here now.

Mr. Winnick: We always admire those who do not seek to hide their true political feelings and affiliations. One of the hon. Gentleman's two hon. Friends who also describe themselves as Liberals—the hon. Member for Berwick-upon-Tweed (Mr. Beith)—was an unsuccessful candidate for the leadership of his party. I am sorry about that, but I was not given a vote.

Mr. Simon Hughes: Like the tenants.

Mr. Winnick: Yes, we shall be coming to that in due course, but on future occasions we shall certainly know the party colours and affiliations of the hon. Gentleman and his hon. Friends.

I support what the hon. Member for Southwark and Bermondsey said not just because he told us earlier that he was a Liberal but because of the need for affordable rents to which he referred in his speech.

One danger is that, because of the Government's allocation of grant, housing associations will have to charge rents that are virtually market rents—*[Interruption.]* If Conservative Members want to talk, they should go to the Tea Room. Alternatively, they should be silent and take part in the debate later. This is a crucial issue. It gives me no pleasure to say this, but I find it disquieting that Conservative Members are not taking part in the debate. It is almost as though they were in Committee. Do they not have constituents who are concerned about these matters? Three Conservative Members are still engaged in private conversation. One is the hon. Member for Harrow, West (Mr. Hughes). He is

[Mr. Winnick]

not paying any attention to the debate or to you, Mr. Deputy Speaker. Perhaps the hon. Gentleman is engaged in some intrigue within the Tory party——

11.15 pm

Mr. Deputy Speaker (Mr. Harold Walker): Order. Conversations are taking place in different parts of the Chamber. We must get back to the amendment.

Mr. Winnick: I was pleased to hear you say that, Mr. Deputy Speaker, as I should be only too pleased to return to the amendment. Conservative Members are——

Mr. Andrew Faulds (Warley, East): On a point of order, Mr. Deputy Speaker. Some of us are interested in the view of the Conservative party on these matters. If there is any chance that the hon. Member for Harrow, West (Mr. Hughes) is discussing them and the relevant amendment, we should be most interested to hear what he has to say. If any of his colleagues choose to enlighten the House——

Mr. Deputy Speaker: Order. Let us first hear what the hon. Member for Walsall, North (Mr. Winnick) has to say.

Mr. Ridley: Further to that point of order, Mr. Deputy Speaker. Can you tell me when we were actually discussing the amendment? It has not been mentioned yet.

Mr. Winnick: I do not think that such reflections on the Chair really help our proceedings. It is rather unfortunate that the Secretary of State wants to make some cheap debating points. We are inviting contributions from Conservative Members on the issues before us.

What the hon. Member for Southwark and Bermondsey said is of crucial importance because the housing associations take responsibility for housing those in need. A survey in 1988 by the National Federation of Housing Associations showed that the four most common reasons for rehousing were overcrowding, ill health, leaving temporary accommodation and poor housing conditions. Those accounted for 46 per cent. of all the reasons for rehousing.

If the housing associations are fulfilling a role—to a large extent because the local authorities cannot carry out their usual traditional housing responsibilities—we must be concerned, and I hope that it concerns the Secretary of State, if the changes in the grant allocation mean that housing associations will have to charge rents that people in need, those whom they are trying to help, cannot pay.

Mr. Ridley: On a point of order, Mr. Deputy Speaker. The amendments are mainly technical, dealing with various matters arising from the transition of an existing Rent Act regime to the new assured tenancy regime to be established under the Bill. Can you explain to me, Mr. Deputy Speaker, how a wide-ranging debate on housing associations can be relevant to the amendments?

Mr. Deputy Speaker: I must admit that this is all rather confusing. I have been trying hard to relate the hon. Gentleman's remarks to the amendments and it is difficult to do so. I hope that he and other hon. Members will now address their remarks to the amendments before the House.

Mr. Soley: Further to that point of order Mr. Deputy Speaker. I accept that nobody wants hon. Members to stray out of order, but the Secretary of State is wholly wrong in saying that these are mainly technical amendments. They are not. They are deep and wide ranging, and have implications for rent levels. I would think that so long as the debate is about that it will be in order.

Mr. Deputy Speaker: Order. I found it hard to relate the earlier remarks to these amendments and I hope that the hon. Member for Walsall, North will now relate his remarks directly to them.

Mr. Winnick: Obviously, I abide by whatever you say, Mr. Deputy Speaker, but I would have thought that security matters relate to the level of rent, as do housing associations which must decide on rent in the light of their grant allocation. As my remarks are in line with those of previous speakers, I trust that they are in order. *[Interruption.]* It is all very well for Ministers to make those sounds. If they want to sleep they can go elsewhere.

I listed the group of people that housing associations have been assisting. We must consider the level of rents and how it will be possible for those in need to be assisted in the way that those in need are being helped by housing associations now. It is extremely important that the security given to a tenant is the same as that provided by the Rent Act 1977. That is not the case at present. Any form of insecurity causes anxiety.

We are trying first and foremost to establish the level of security and the way that courts will decide. I hope that when the Minister replies he will respond to our points about housing associations because they raise important matters for those who will seek to be rehoused by housing associations. As local authorities are no longer able to assist people because no building is taking place, it is all the more reason why some protection should be given to those who cannot afford market rents.

The crux of the argument which seems to puzzle Conservative Members is simply: what will the Government do for those who cannot afford a mortgage or market rents, who do not stand a chance of being rehoused by a local authority and who are likely no longer to be assisted by a housing association because of the level of rents which they will be forced to charge? Surely those are legitimate points which must concern us, even if, unfortunately, they do not concern Conservative Members. I am sure that I am supported in that by my hon. Friends.

Mr. Boateng: My hon. Friend the Member for Walsall, North (Mr. Winnick) is to be congratulated. He has driven the Secretary of State from the Chamber. The fox has gone to ground, leaving his rather bedraggled pup to mind the lair, and by the time we have finished with him tonight, he will look even more bedraggled.

Mr. Patnick: The hon. Gentleman should get the zoological species correct. Foxes have cubs, not pups.

Mr. Morgan: The hon. Member for Sheffield, Hallam (Mr. Patnick) forgets that we are dealing with the Housing Bill. My hon. Friend the Member for Brent, South (Mr. Boateng) at least got the lair right.

Mr. Boateng: Whether it be cub or pup, we are dealing with an animal that has four legs and is looking increasingly bedraggled and uncertain without the intrusive presence of the Secretary of State. At 11.25 pm

we should not be debating the species to which the Under-Secretary belongs. He is all too revealing in the shape that he takes before us, and we do not want to enter into a semantic argument about whether he is a cub or a pup. He is at bay, which is all that matters.

Mr. Peter Archer (Warley, West): I am sure that my hon. Friend the Member for Brent, South (Mr. Boateng) would not wish to mislead anyone reading the record of this debate. He may have conveyed the impression that the Secretary of State, having graced our proceedings throughout the night, had just left the Chamber. He looked in for only a comparatively short time.

Mr. Boateng: My right hon. and learned Friend is, once again, right. The record should show the extent of the Secretary of State's appearances in the debate. The record should show that Ministers, recumbent on the Front Bench, have from time to time been heard to mutter and mumble comments about relevance and sticking to the amendment. Among those Ministers, a particularly spirited response——

Mr. Deputy Speaker: Order. Perhaps I may mumble something about sticking to the amendment. The hon. Gentleman has been speaking for a little over three minutes, but has not referred to the amendment. I hope that he will do so quickly.

Mr. Boateng: I am suitably chastened. I was trying to set the context of the amendment.

The drafting of amendment (a) to Lords amendment No. 44 is simple enough. We wish to insert the word "secure." What could be less threatening? Amendment No. 44 has received a warm welcome from Labour Members. It adds to the circumstances in which a housing association can grant a secure tenancy with a fair rent. That is a good in itself, because the Bill seeks destructively to undermine the true role of housing associations in the provision of houses for those who need them. Amendment (a) seeks to redress the balance.

The former Minister for Housing and Planning used to visit hon. Members' constituencies——

Mr. Tony Banks: Whipping up apathy.

Mr. Boateng: The Minister seldom managed to convince his audiences, but he suggested to the housing association movement that when the Bill was passed it would have a new role to play. That is why the amendment is so important. For a moment, we feared that it might be possible for him to separate the housing association movement from the local authorities and communities which they were set up to serve. That was the purpose. The Minister was not out whipping up apathy for the fun of it or simply seeking to establish a reputation as an industrious Minister of State. If his intention was to retain that position, he failed because he did not survive the Bill, just as a number of us predicted. Perhaps the current incumbent is not much longer for the portfolio either, but we will not speculate. We shall return to the amendment and see why it is so important.

11.30 pm

The amendment preserves the traditional and historic role of the housing association movement. It should not be used to undermine local authorities or the public provision of housing, secured through the ratepayers and taxpayers. It should complement the local authorities. That was recognised by the housing association movement. That is why the Minister failed in his primary objective to disengage the housing association movement from the local authorities and communities which they serve.

To make sure that that does not happen, even after the passage of the Bill, we have proposed the amendment, which provides that, where a housing association purchases a property containing a tenant with a statutory or protected tenancy, the association can grant that tenant a secure tenancy with a fair rent. The amendment seeks to extend this so that, where an association takes over a property with a secure tenant, it will also be able to grant that tenant a secure tenancy at a fair rent. That is a modest enough proposal, but one to which Conservative Members may be resistant because it contains a particularly unpalatable truth for them. It underpins the need to recognise the special roles of housing associations as bodies to meet special needs.

A number of groups will benefit from the amendment, including those who are disabled and require properties that are specially adapted and those who at a particular stage in their lives, whether through old age or youth, require special housing provision in terms of the management of their household or the kind of units available. Our vision is not of a society in which a person is fixed into one form of occupancy. One sees from one's constituency cases that old people find it particularly hard to maintain homes which are sometimes too big for them.

Mrs. Mahon: I hope that I can flush the Minister out of his hole and get him to reply to a question which I have tabled and which I asked him earlier tonight. Why have the Government seen fit to sabotage the excellent scheme proposed by the Stoneham housing association for deprived young people? That housing association and my local authority would have provided 30 places in what is now an empty tower block. They would have helped to restore and bring that tower block back into use for housing. Because of the inadequacies of housing grants, we have not been able to repair that tower block. It is sad that that group of clients has been left virtually homeless.

Mr. Boateng: Halifax is remarkable, not only by reference to the quality of its representation in the House but by reference to its capacity to produce an example for every aspect of the Bill. Whenever there is an amendment, there is always an example readily to hand from my hon. Friend the Member for Halifax (Mrs. Mahon). It must be a truly remarkable place in which to live, with its diverse problems and the breadth of its need for housing.

I see that Brer Fox has returned to the lair. If he will pay attention for one moment, he will hear that what we are particularly concerned about in this amendment is that the sort of scheme that has been referred to in Halifax should be able to grow and develop. Our vision of housing provision is that people should be able to move into and out of appropriate housing throughout their lives. When they are young and making the transition from home into the private or public rented sector or even into owner-occupancy, guidance should be provided for them. As they grow too——

Mr. Deputy Speaker: Order. The hon. Gentleman is again moving away from the amendment.

Mr. Boateng: Then I shall return to it. There is a stage in a person's life when Lords amendment No. 44 becomes

[Mr. Boateng]

particularly relevant on account of the change in the nature of the tenancy because of the age of the tenant, his financial position or his health and general family circumstances. Such people may wish to move into housing association property. Lords amendment No. 44 should therefore be written into the Bill so that housing associations are able to make the necessary provisions for them. Without the amendment, housing associations will not be on hand and will be unable to meet their special needs.

We know that the Secretary of State and the Under-Secretary of State have received an overwhelming number of representations from the National Federation of Housing Associations. That has been a word of warning to them. The federation has asked the Government to enable the movement to grow in order to take advantage of the opportunities that the Government say they seek to provide by means of the Housing Corporation. Without the amendment, it will be unable to take advantage of those opportunities, which we believe ought to be provided. We ask the Government truly to liberate the housing association movement and allow it to play its role alongside local authorities in providing for the needs of our people.

Mr. Tony Banks: I apologise to you, Mr. Deputy Speaker, for having been caught short on amendment (a) to Lords amendment No. 37. One lives and learns. I shall not be caught out on Lords amendment No. 76 and amendment (a) to it, but I shall give the Secretary of State his due on that one.

The Secretary of State said that these are technical amendments. Some of them appear to be very technical and we need to ask questions about them. Lords amendment No. 40 attempts to ensure that protected shorthold tenants who have been granted tenancies before the Bill becomes law under the current arrangements for creating protected shorthold tenancies do not become assured tenancies or protected tenancies by virtue of the arrangements in this part of the Bill. That includes cases where the landlord does not serve the correct notices for creating a new style of assured shorthold tenancy.

It is clear from these so-called technical amendments that the Government are prepared to create the most absurdly complicated sections and subsections to preserve the insecurity of protected shorthold tenancies.

We shall not oppose amendments Nos. 38, 39 and 40, but we believe that they demonstrate how much the Government are the party of the landlord and how they are prepared to frame legislation to ensure that landlords have a free hand. That has always been the philosophy behind the Bill. Although the Secretary of State may say that they are merely technical amendments, the philosophy behind them and the fact that the legislation becomes more complicated reveal the attitude and approach of the Government of the landlord.

Amendments Nos. 41 and 43 deal with housing association tenancies and with fairly complicated hypothetical problems that may occur at some time if a secure tenant becomes a housing association tenant under the provisions of part IV. A council tenant who is at present secure under the provisions of the Housing Act 1985 may be bought up by a housing association under the provisions of the pick-a-landlord proposals. At that point, the tenant would become an assured tenant.

But one must hesitate at that point. The Government are so anxious to preserve the right to buy that should the tenant exercise the right to buy his home at a discount and discover subsequently that his house was built to a defective design—perhaps the Bison system—the housing association can buy back the flat so that the owner-occupier does not have the headache of a useless asset on his hands. Under these provisions, that tenant then becomes a secure tenant—unlike his neighbours, who were not so foolish as to exercise the right to buy and who are merely assured tenants.

The dice are always loaded, certainly with regard to the right to buy. The Government may say that they are just technical amendments, but when one understands the thought that went into them they reveal the hand of the Secretary of State. Amendments Nos. 41 and 43 are absurd.

But perhaps the Secretary of State will tell me that my timing is wrong. Perhaps it is only when a tenant has exercised the right to buy before the estate or block is taken over by the new landlord that he can become a secure tenant when he sells his property back to his landlord. I should be most grateful if the Minister would answer that question and explain the amendments so that I may know whether my interpretation is correct. If it is wrong, the Secretary of State has a great body of experts round him who can tell us, through him, exactly what the amendments mean.

To get a better understanding of these technical amendments, I thought that the best thing would be to turn to the debate in the other place. But when I read the Lords *Hansard* I saw no evidence that the Earl of Caithness understood the amendment. It was moved formally and there was no debate. So we still do not know precisely what the amendments are about and must struggle to interpret the amendments ourselves.

Lords amendment No. 44 relates to clause 35, which falls in chapter V of part I. Chapter V is a complicated but crucial part of the Bill. It is the mechanism by which the Government intend to destroy current arrangements for the protection of tenants, so that the new regimes of the market place—the assured tenancy and the assured shorthold tenancy—can take over.

Chapter V is entitled:

"Phasing out of Rents Acts and other Transitional Provisions."

Clause 35 states that a tenancy cannot be a housing association tenancy unless it falls into one of several exceptions, which include where the tenancy was granted as part of a contract formed before the Act became law, where it is granted to the same person who before the grant was already a protected tenant of substantially the same accommodation, and where the new tenancy arises from the tenant having to move as a result of a court order which states that the new tenancy is equivalent to "suitable alternative accommodation".

11.45 pm

Lords amendment No. 44 sets out another exception to the number of new housing association secure tenancies that can be granted. When a housing association buys a property in the private sector which already has protected

tenants—the so-called sitting tenants—in it, the tenants are permitted to become secure tenants under the Housing Act 1985 rather than new style assured tenants.

I am obviously in favour of the amendment. It seems eminently sensible and fair. We all know that housing associations do a great deal of good when they intervene in the wholly inadequate private sector, buy privately rented property, improve it, convert it and let it to people in need of low-cost rented housing. The Government want to make all publicly provided accommodation housing association accommodation, and to take it all away from local authorities. We heard some interesting exchanges on that subject between my hon. Friend the Member for Hammersmith (Mr. Soley) and the Under-Secretary of State.

We do not want to hinder housing associations that want to take up property in the private sector and improve it.

Mr. Winnick: Does my hon. Friend know that the survey conducted by the National Federation of Housing Associations, which I quoted earlier, shows that the average net weekly household income of people who were given accommodation by housing associations was £77·50, compared with average national earnings of £224? The average net weekly income for households with nobody in work is £58·99 and the average for households with one person in work is £115. Does my hon. Friend agree that those figures illustrate the type of problem we are dealing with? Perhaps the Secretary of State does not realise its seriousness. People now being assisted by housing associations are in the main, though not exclusively, on small incomes. To the extent that housing associations will be forced to charge something near the market rent, the people I have described cannot be helped.

Mr. Banks: I agree. One of the insidious things about the Bill is the way in which the role of housing associations is being changed. It is clear from the submissions that the Government received from housing associations that the associations do not like that.

There are times when I do not understand Conservative Members. Either they have no knowledge of what it is like in the bottom league or they have not attempted to find out or—worse—they know but do not care. We all have decent homes. None of us can be compared with the people who will be caught out by the Bill. All Conservative Members are fairly comfortable, and some are living in the lap of luxury. Good luck to them, I suppose.

Mr. Winnick: I would not go as far as that.

Mr. Banks: I am trying to be as generous as I can. Conservative Members do not have to experience housing difficulties and they do not understand what they are all about. When they move their amendments without being aware of the impact that they will have on those who are in the poorest sections of our society, it is not suprising that we become angry and embittered towards the Government. To be frank, we do not believe a word that they say. I wish that they would make more attempts directly to learn for themselves how badly off some people are in the private sector and in many parts of the public sector.

When considering Lords amendment No. 44, we must remember that housing associations are seeking to buy and improve privately owned property so that they can provide some decent housing. As always, I turned to Newham to ascertain the state of houses in the privately rented sector, and I can report that it is appalling. The 1985 house condition survey on properties in Newham has demonstrated that the fabric of our private sector housing stock is becoming unfit at a faster rate than it is being repaired.

Most of the 45,000 dwellings that make up the private sector stock in Newham are pre-1919 properties. They are coming to the end of their useful life unless major renovation is carried out in the near future. It seems that 57 per cent. of private sector dwellings in the borough are unsatisfactory, which equates to 26,000 dwellings. The results of the survey told us that 83 per cent. of private rented dwellings were unsatisfactory and that 52 per cent. of owner-occupied dwellings were unsatisfactory. Unsatisfactory means unfit and/or lacking basic amenities and/or in serious disrepair. No Member of this place has to live in such housing.

Disrepair is becoming worse in Newham. In 1981, a total of 37 per cent. of private rented dwellings were unfit——

Mr. Deputy Speaker: Order. The hon. Gentleman is getting a long way from the amendment.

Mr. Banks: I am directing myself to Lords amendment No. 44 and the role of housing associations within the terms of the amendment. The associations buy inadequate private sector property, or inadequate privately rented property, and improve it. That is within the terms of the amendment. I must accept what you say, Mr. Deputy Speaker, but I am trying only to demonstrate the enormity of the associations' task under the amendment and of their role generally. They have a major problem to deal with in Newham.

I hope that the Government will accept Lords amendment No. 44. If they fail to do so, the role of the housing associations could be undermined.

It is fairly common practice for associations to buy tenanted properties, especially in a period of rising property prices which lead to increasing difficulties for associations that wish to buy properties and improve them within the cost constraints set by the Housing Corporation. Tenanted properties sell at cheaper prices. Indeed, some would sell for about half their vacant possession value. This means that they are attractive to property speculators. They buy them, winkle out the tenants and sell them with vacant possession.

It is important that housing associations should be encouraged to buy in this market. The properties can be bought at reasonable prices and converted to achieve a housing gain for the housing association movement. For example, a house in multiple occupation with one sitting tenant can be converted into three flats, which means that there is a housing gain. Housing that is sold with sitting tenants is usually run down, badly managed, with inadequate repairs and fire precautions. The tenants, as I know from my own experience, are often old and vulnerable people who have been unable, for one reason or another, to get a foothold in the owner-occupation market. It requires the sensitive handling of the housing association to achieve that repair and improvement without too much distress or disruption to the vulnerable tenant.

[Mr. Banks]

If Lords amendment No. 44 is accepted, the home of a private protected tenant which is bought by a housing association can become a secure tenancy. If it is not accepted, that tenancy will become an assured tenancy under the new rules set out in part I.

One might ask what is the difference between a secure tenancy, a protected tenancy and an assured tenancy. It is a difficult question. Many people in my borough are asking those questions all the time. I wonder how many Members of this House or the other place know.

Mr. Peter L. Pike (Burnley): Is this debate relevant to properties owned by the London and Quadrant housing association in areas of my hon. Friend's constituency such as Disraeli road, where I happen to know properties are being developed and put on the market? Is it important to people living in such property?

Mr. Banks: It certainly is. I think that my hon. Friend knows that that housing association is located in my constituency. My hon. Friend should perhaps admit a certain interest. However, I shall pass over that. It is not the sort of interest that would infringe his right to speak in this place. I think that my hon. Friends know what that interest is and we must congratulate him on having such an intelligent member of his family working for that housing association and living in that area.

Let me return to the differences between a secure tenancy, a protected tenancy and an assured tenancy. They always sound alike. Why should not a tenant in the situation that I described become an assured tenant rather than a secure tenant?

Mr. Winnick: Could it be that the lack of interventions from Conservative Members—not one Conservative Member has spoken since the proceedings began—is related to the fact that quite a number of them have substantial property interests and simply do not want to reveal them because many of them will gain as a result of the Bill becoming law?

Mr. Banks: That may well be the case. It would be useful if Conservative Members could join in the debate. It is supposed to be a debate. It is not, of course, and nor was it in Committee. That is one reason why I desperately want to have this place televised. I want people to see exactly what goes on in this place. I know that Conservative Members are just sitting around waiting for the next Division, hoping that it will be sooner rather than later.

Mr. Faulds: I do not want to follow my hon. Friend into any irrelevance, but is it not likely that if we were to have the disastrous intrusion of the cameras into this place, the political affiliations of most of the people who own the television companies involved in that would, like the popular press, try to defend all the interests of Conservative Members? The television companies will take the greatest trouble——

Mr. Deputy Speaker: Order. None of that has anything to do with Lords amendment No. 44. Can we get back to secure or assured tenancies?

Mr. Banks: I accept immediately what you say, Mr. Deputy Speaker. I am always prepared to give way to may hon. Friend the Member for Warley, East (Mr. Faulds). It is so good to have him here at a time other than Prime Minister's Question Time.

Mr. Battle: It may be that we do not see the televising of the House of Commons in terms of censorship, but I am certain that many housing associations have lobbied Conservative Members on this issue and they will have to answer to their constituents for not being able to assure them that the housing associations will not be prejudiced by the Bill.

Mr. Banks: My hon. Friend makes another good point, for, in speaking to Lords amendment No. 44, one realises what is happening in this place and with this Bill, against the interests of those who are desperately in search of housing.

Many of these amendments are so complicated and confusing that it is hardly surprising that many outside the House find it difficult to establish their rights. One begins to get cynical, and I resist that as much as I can, as you, Mr. Deputy Speaker, know. None the less, one reaches a point where such obfuscation appears to be deliberate, to ensure that people desperately in need of housing can never find out what are their real rights.

12 midnight

Mr. Cryer: My hon. Friend refers to the differences between an assured and a secure tenancy, and comments that perhaps Conservative Members are voting for this legislation because they have property and wish to see a change in the nature of tenancies in order to exploit their own tenants more. Will my hon. Friend comment on the obligation that is placed on all right hon. and hon. Members, under a requirement of "Erskine May", not to vote for any legislation that will give them a financial advantage? It may be that we shall see a diminution in the numbers voting against the amendment.

Mr. Banks: The passage of time will lead to a diminution in the number of Conservative Members voting on the amendment. Nevertheless, I know that I can count on my hon. Friend the Member for Bradford, South (Mr. Cryer) to point out to any recalcitrant Conservative Members what are their obligations and responsibilities, for I know that he is a keen student of the pecuniary interest register. He probably has the mark of every Conservative Member currently sitting on the Government Benches.

I return to the differences between protected, secure and assured tenancies. They all sound as though they are good things, but it is here that the Bill is deceitful. There are many similarities between a protected and a secure tenancy. It will not do an individual any harm changing from a protected to a secure tenancy, but there is a huge difference between a protected or secure tenancy and an assured tenancy, but that is what the Government intended all the way along.

The rents of protected tenants are set by the rent officer at fair levels that disregard the scarcity of accommodation. Under the present housing association arrangements, the same regime of the rent officer setting fair rents applies. However, if there is a change to an assured tenancy, the rent will be fixed by the rent assessment committee at market levels.

Mr. Cryer: Will my right hon. Friend comment on the fact that the fair rent regime, which is being undermined by Lords amendment No. 44, does not provide that much protection? If a tenant improves a property owned by his landlord, the fair rent officer must take any such improvement into account when fixing the rent.

The Deputy Speaker: Order. I do not see how any of those points can be raised under the amendments now before the House.

Mr. Banks: I was about to say that I disagree with you, Mr. Deputy Speaker, but I cannot disagree, I do not disagree, and I never shall disagree with you—though on this occasion I believe that I do.

In the case of a protected tenant, there are a number of grounds on which a landlord can obtain possession. They are broadly similar to those shown in the Housing Act 1985 as grounds for possession against a secure tenant. One important element is that if a landlord wishes to seek possession on the grounds of a fault, where it is claimed by the landlord that the tenant is at fault in some way—for example, in not paying the rent—such grounds are discretionary and the landlord must show not only that the tenant is at fault but that it is reasonable that the court should make a possession order.

Should the tenancy be changed to an assured tenancy, however, the position will be different. For the first time, under the Bill, one of the so-called "fault" grounds becomes a mandatory ground for possession. If a tenant is three months in arrears with his or her rent—even if the arrears are not the tenants's fault—the court has no choice but to make an order for possession. Being an assured rather than a secure tenant would make a considerable difference to the person concerned.

As a protected tenant, a tenant in the private sector can currently pass on his or her tenancy twice, first to a spouse and then to a member of his or her family. Of course, the Government are proposing to change the rules, even for existing tenants, so that, although spouses can inherit a tenancy, members of the family can only do so—and it will be an assured tenancy—if they have lived in the accommodation for at least two years at the time of the tenant's death.

The important issue is that succession rights can be passed on to members of the family as well as to the spouse. If a private tenant's home is then bought by a housing association—which is the subject of the Lords amendment—that tenant will become secure. Secure tenants have similar, although not identical, rights in regard to succession. They can pass on their tenancy only once, although it can be to a spouse or, if there is no spouse, to another member of the family who has been living in the accommodation for at least 12 months at the time of succession.

Should the tenancy become an assured tenancy at the time of purchase, rather than a secure tenancy as suggested by the Lords amendment, there can be only one succession on death—and that to the spouse only. That is particularly hard on carers who move in to look after an elderly relative. Once the tenant dies, the carer, who may have devoted a good part of his or her life and attention to that relative, finds that as a reward for his labours at the same time as having to face up to a bereavement he must face the prospect of losing his home.

Mrs. Mahon: The carer will often have also lost out on any kind of career, finding himself years later on a much reduced income. That is an added anxiety, which is making people stop to think, "Shall I do this, or do what I least want to do and throw an elderly or sick person on to the state?"

Mr. Banks: That is an important point. The Government have talked about people being turned out of long-stay hospital beds and being looked after in the community. It sounds fine, but the Bill could penalise their carers, and that strikes me as disgraceful.

I do not know whether the Under-Secretary is fully aware of that implication. We explained it in some detail in Committee, but of course he was not there at the time. He has a very tenuous grip on his present job. This is a bit of a graveyard for aspiring Conservative politicians. I do not wish the Minister any ill, because it is not in my heart to wish any Conservative Members ill. That is why I still hope that somewhere within their breasts beat hearts that may still be turned by our pleas. The Secretary of State, in particular, looks at me with that stony, skull-like look that almost belies the thought that he even has a heart. But I do not give up hope even for him at this stage.

Mr. Morgan: I am grateful to my hon. Friend for giving way. He referred to graveyards. Another graveyard with which we have become familiar during the past 12 months is the graveyard where the Government put reports when they do not know what to do with them. The Griffiths report made exactly the same point as my hon. Friend. It recommended extremely strongly that a far better variety of care would be provided by close relatives within the family. However, this legislation is making it far more difficult for relatives who have to give up their jobs to look after sick parents or children. I have an extremely difficult case in my constituency where a young lady in her mid-20s is being evicted from her home, having given up her career to look after first her mother and then her father over something like a 10-year period. She has never worked, other than looking after her elderly relatives. That is the reward that such people will get if this measure becomes law.

Mr. Banks: My hon. Friend is absolutely right and demonstrates the internal inconsistencies between the Government's stated intentions and the legislation that they bring before the House. That is why it is difficult for us to accept at face value almost anything that is said by Conservative Members.

For the three reasons that I have already mentioned —rent, security and succession—we support the Lords amendments. The Government may not accept the argument, but not only is it better for tenants that they should become secure rather than assured tenants, but the loss of security faced by the tenant may undermine the potential relationship between the housing associations and their future tenants at the time of purchase.

When housing associations are proposing to buy a property, they visit it, they take stock, measure it up, value it and talk to the tenants—unlike many private landlords who buy property in portfolios without ever talking to the people for whom it represents a home. One of the first questions that a tenant will ask a housing association is, "What will it mean for me?" If the housing association can reply, "You will become a secure tenant and, as a housing association tenant, you will have most of your rights that

[Mr. Banks]

you have now, together with some additional ones such as the right to information and consultation, the right to assign and the right to exchange", it is quite likely that that tenant will be keen to become a housing association tenant. *[Interruption.]* Shut up. I do not mind interventions from Conservative Members, but I find sedentary interventions from my hon. Friend the Member for Leeds, Central (Mr. Fatchett) who is sitting 3 ft away from me to my left, to be rather disconcerting. *[Interruption.]* I beg your pardon, did a Conservative Member actually speak or was that a death rattle?

If a housing association has to say to a prospective tenant, "You will become an assured tenant and we can charge you a market rent which may mean that your rent will go up by a factor of four and there are more ways in which we can get you out" it would be quite understandable if the tenants showed a degree of reluctance to have their homes taken over by the housing association. That is why I put it to the Secretary of State that it might well undermine the work of the housing associations in buying into the private rented sector and carrying out their excellent improvement work to the fabric of our deteriorating private rented stock if the Lords amendment were not allowed to stand.

Mr. Cryer: I am sure that my hon. Friend will agree that it would be a strange irony if the Government were not prepared to allow the Lords amendment to stand. They have supported housing associations as being a source of assistance from the private sector, as members of housing associations administer them often without any fee, simply as part of a voluntary contribution to society —the Lady Bountiful image that the Tories like to propound. If the Government do not allow the amendment to stand, they will be pushing aside the voluntary private sector and handing everything over to the private sector. Is that the general gist of my hon. Friend's remarks?

Mr. Banks: My hon. Friend has a ready grasp of the situation, which I am sure is better than that of the Secretary of State who diverted me for a moment, because, as my hon. Friend was speaking, the Secretary of State was excavating the contents of his left nostril. *[Laughter.]*

Mr. Deputy Speaker: Order.

Mr. Banks: Thank you, Mr. Deputy Speaker. It was not a pretty sight. *[Laughter.]* I am finding it difficult to continue, Mr. Deputy Speaker.

I turn now to amendment (a) to Lords amendment No. 44. Much as we like the Lords amendment, it can stand much improvement. Our amendment attempts to include among tenancies which can remain secure, and are granted after the Act comes into force tenants who become housing association tenants—*[Interruption.]* I think you should send for the nurse, Mr. Deputy Speaker. My hon. Friend the Member for Warley, East seems to be in need of her.

12.15 am

Mr. Faulds: Yes, please.

Mr. Banks: It would appear that my hon. Friend is having a seizure——

Mr. Faulds: My hon. Friend is such a comic that he must occasionally give the audience time to enjoy his quips. The more response he gets, the happier I should have thought he would be. I do not need a nurse now, Mr. Deputy Speaker, but I may in a little while.

Mr. Banks: I know that this is often referred to as political theatre, but I had not realised that my hon. Friend had descended from the high dramatic roles he used to play to become a low comedy actor.

As I was saying, our amendment includes among tenancies granted after the Act which can remain secure any tenants who become housing association tenants when a housing association buys a property with them as sitting tenants—this time not as sitting tenants in the private sector but as sitting tenants in the public sector. Our amendment relates to the provisions of part IV of the Bill which are the tenants' choice proposals.

When the then Minister of State was selling us the proposals in part IV, he persuasively told us that no nasty, private developer-type landlords would prowl around trying to make a quick killing out of the proposals. We were prepared to take him at his word. We thought that he might represent the acceptable face of Tory extremism. But he gave so many undertakings and was so reasonable that he could not remain in the job. That is why he was sent to the Foreign Office. I am sure he is relieved to be far from the thorny problem which the Under-Secretary of State now finds himself facing. The hon. Gentleman's move to the Foreign Office was also a demonstration of how the Government treat Conservative Members who still have residues of heart, feelings and compassion: they move them on.

Mr. Winnick: Is my hon. Friend aware that if the former Minister had remained at the Department of the Environment he could have overridden some of the Secretary of State's objections, rendering our arguments unnecessary? It seems likely that the Secretary of State had a word with the Prime Minister to get the Minister transferred to another Department because there was a clear difference of opinion.

Mr. Deputy Speaker: Order. Let us get back to amendment No. 44.

Mr. Banks: My hon. Friend made the point that I made earlier. When we discussed this part of the Bill before, the Minister said that only nice, respectable, friendly housing associations would be out to buy under these proposals. He did not know then that the Charity Commissioners might take a dim view of this sort of activity when carried out by bodies that were registered as charities, excluding at a stroke many housing associations from buying under this legislation. But we expect the Government to change the charity rule at any moment, to suit their needs. That is how they behave every time they find an obstacle in their path. That is the new Conservative party. Any opposition—from its Back Benchers, from the Labour party or from society in general—gets kicked.

Under part IV, a housing association may end up with a number of properties acquired from a local authority. As we have been told, some local authorities are already negotiating with housing associations to that end. In the amendment, we seek to ensure that if tenants end up as

housing association tenants they enjoy security of tenure at least equivalent to that which they had as secure tenants when the property was owned by the local authority.

Housing associations broadly support the rights that secure tenants have under the tenants' charter. It is obvious that tenants would prefer to have more rights, rather than fewer; one hardly needs a PhD to work that out. The landlords want such a provision and the tenants want it, so why on earth are the Government refusing to allow tenants to keep rights that they have enjoyed as part of their contract since they first moved in, just because the landlord changes? No such dramatic change accompanies a change of landlord in the private sector. If one private landlord sells to another, the tenant keeps the rights that he has had since he first became a tenant of the property. Why should not the same arrangement occur in the public sector? When one public sector landlord sells to another —in this case a housing association—the tenant should keep the same rights.

If the Government are not prepared to accept our amendment, it will be clearly revealed that they would like to destroy all public sector tenancies and move everyone into the hands of private landlords. I suspect that that is what they would like to do. Thank God they have not been able to do it so far, but if anyone were stupid enough to allow them back again, I fear that that is what would happen. I hope that the Government will accept our amendment.

Mr. Ridley: With the leave of the House, Mr. Deputy Speaker, I shall reply to those points relevant to the amendments before us. I congratulate Opposition Members on maintaining a filibuster of considerable standard—even, at times, of humour—wholly unrelated to the amendments. Opposition Members clearly showed a desire to remain here through the night, which cannot be justified by the content of the amendments.

The hon. Member for Newham, North-West (Mr. Banks) even went so far as to suggest that his constituency would benefit from a housing action trust, and talked about widespread dereliction and the poor condition of the housing stock. It was an interesting suggestion, which we shall consider.

Mr. Tony Banks: Will the Secretary of State give way?

Mr. Ridley: No. The hon. Gentleman has spoken for hours. I have only just started.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) got into a bit of a muddle. He seemed to demand continuing subsidy for housing associations. He will know from the public expenditure line to which he referred that that is our intention. With private finance coming in, that means a greatly expanded programme and, by definition, low rents. What else is the subsidy for? The very word "subsidy" would guarantee what the hon. Gentleman seeks.

The hon. Gentleman then seemed to suggest that such houses should not be called subsidised. He must make up his mind whether he wants the subsidy or not.

Mr. Simon Hughes: Will the Secretary of State give way?

Mr. Ridley: The hon. Gentleman has bored the House for hours already, but I shall nevertheless give way.

Mr. Hughes: I asked the Secretary of State two simple questions. First, is he changing the wording from "social housing" to "subsidised housing" as a matter of policy? Secondly, I asked at what figure rents would be set after the subsidy, so that the housing association movement and its tenants might know what sort of figure we were talking about.

Mr. Ridley: The hon. Gentleman must not believe everything that he reads in the papers. He obviously picks up his information from gossip columns. He should really be a little more sophisticated than that. He said that now was the time when I should suddenly announce a new rents policy. I do not think that this is the time. I think that it is time to consider amendment No. 40, et alia, which are very limited, and well past the time when we should reach a conclusion on them.

With regard to the points of substance that were raised, the hon. Member for Leeds, West (Mr. Battle) asked whether the terms would be better or worse in the circumstances that he described. It will, of course, depend on the terms of the contract whether an assured tenancy is deemed by the court to offer equivalent security or not. All contracts will be different and it will be for the courts to interpret the answer to the hon. Gentleman's question.

The hon. Member for Newham, North-West asked what amendment No. 40 does. I shall tell him. It provides that where, on or after the commencement of the Bill, a landlord grants a new assured tenancy to someone who has hitherto been a tenant under a protected shorthold tenancy or a tenancy superseding such a tenancy, that new tenancy will automatically be an assured shorthold tenancy without the landlord having to serve notice to that effect. Whether the tremendous edifice of rhetoric that the hon. Gentleman built upon that simple and limited proposition is justified, I leave it to the House to decide.

The hon. Member for Brent, South (Mr. Boateng) asked what was the Government's view of Opposition amendment (a) to amendment No. 44. It would have the effect of extending the provision to include any existing secure tenancy taken over by a housing association and would thus run counter to the Government's intention throughout the Bill that secure tenancies taken over by a housing association as part of a transfer of stock by a local authority should become new style assured tenancies. The Opposition amendment would destroy that change to the new type of tenancy and I ask the House to reject it.

Mr. Soley: The Secretary of State refers to a filibuster, but he does not know what he is talking about. I will tell him what a filibuster is—it is 273 Lords amendments. What does the Secretary of State think that he is doing coming to the House for the second time with about 300 amendments to one hell of a mess of a Bill? So far, he has sacked one Minister and pushed another out—the one sitting beside him now will not last much longer—but the person responsible for the whole mess is the Secretary of State himself. He brought it upon himself and he deserves every bit of it because he has caused more anguish, fear and anxiety to tenants in both the private and the public sector than any other Minister at the Department of the Environment ever has. People are terrified of what he is doing to them. Yet he comes here talking about a filibuster.

The Secretary of State has learnt nothing yet. So far he has learnt only that the House of Lords has given us 62

[Mr. Soley]

pages of serious amendments. We may occasionally drift into a moment of levity at this hour of the night, but the Secretary of State will see from *Hansard* that, apart from those brief moments of levity, there has been content to all our debates. The fact that he does not understand and does not care makes no odds because this wretched Bill will be a millstone around his and the Government's neck for years to come—and if he ever comes to the House with a Housing (Finance) Bill in anything like this kind of mess he will get exactly the same treatment and it will be equally well deserved.

It seems that, even now, the Secretary of State does not understand the full import of amendment No. 44 and our amendment (a) to it. I realise that he understands one point, although it has not really been mentioned in the debate. The reason why the Government do not like our amendment is that it will stop them fiddling the figures. If they managed to get enough public housing—whether from housing associations or local authorities—into some form of assured tenancy, they could then start describing those tenancies as private lets and try to claim that the number of private lets was on the increase. Yet we know that everything that the Secretary of State has said about reviving the private sector has been wrong so far. There are now 600,000 fewer homes available for rent in the private rented sector than there were eight years ago. That decline is now more steep than at any time since the 1957 abolition attempt.

The Secretary of State must deal with that failure. If he allows local authorities to keep properties, he cannot claim that the private sector is increasing. The rents of existing housing association tenants—and this is an important debate about rent levels—are set at fair rents determined by independent rent officers under the provisions of the Rent Act 1977. The Bill proposes that that regime should not apply to new housing association tenants, and in place of that protection future tenants will be part of the new deregulated system of assured tenancies at market rents that will apply to the private sector.

12.30 am

It is common ground between the Government and the voluntary housing movement that housing association rents should usually be lower than market rents. The Government have said that. They have also given public assurances—much as we may doubt their worth—that housing association rents should remain affordable for those in low-paid employment.

As my hon. Friends have said to great effect, the fact is that housing associations feel vulnerable. What the Government have managed to do—which no other Government, Tory or Labour, have achieved—is to divide the housing association movement. Some fear that their colleagues in other housing associations will be pressurised to move upmarket. In particular, the removal of Rent Act protection coincides with the introduction of a new financial regime for housing associations that will require them to raise money in the private market for new developments. With the present record level of house and land prices and the extremely high cost of borrowing, the National Federation of Housing Associations feels, probably rightly, that it is likely that housing associations will be under undue pressure to raise rents beyond the reach of low-income households. Yet the Government say that we must increase the supply of low-cost rented accommodation.

That is the source of conflict between the Secretary of State and the former Secretary of State, the right hon. Member for Henley (Mr. Heseltine). The Secretary of State knows that more houses must be built for low-cost rent. The right hon. Member for Henley recognises that that means houses at the bottom of his garden. Yet neither of them is right. The problem is that the houses likely to be built in such circumstances are not likely to be for either low-cost rent or sale.

The NFHA has studied examples of housing association tenants in different sorts of accommodation. It has considered their actual income and the rents that they currently pay, set by the rent officer, and the rent that they would have to pay if the new mixed funding scheme was operating. It also considered how housing benefit would help. The results were quite frightening. They showed that tenants in low-paid work would be paying up to 41 per cent. of their low wages in rent, even after housing benefit. One of the examples that I gave not long ago at a press conference was of a nurse who, with the new pay rise, would lose about 40 per cent. of her salary in rent. That is what we are talking about tonight. That is why we are angry. In several cases housing benefit does not even begin to help until 40 per cent. of income disappears in rent. Housing benefit does not make rent affordable to low-income households.

The NFHA survey of new tenants—those who became housing association tenants this year—showed that their average weekly household income was £77·50. Where at least one person was in work, that rose to £115·64, just over half the national average of £224 a week. Housing association tenants overwhelmingly fall into the low-income category. Because of that, the NFHA argues that, on average, no more than one fifth of their income should be spent on rent. For a long time I have been arguing with many others that if an individual or family is paying more than one fifth of its income in rent or on a mortgage, it cannot do so for long without getting into serious economic trouble and other problems, including, in the worst examples, homelessness.

Housing charities need to be mindful of their charitable trusts which require them to provide for those in necessitous circumstances in terms appropriate to their means. For them, the purpose of their activities is not merely the provision of housing—private landlords do that—but the relief of poverty through the provision of affordable housing. That is what united the Labour and Tory parties in 1974 when we set up the housing associations. It is this Secretary of State who is dividing the House on that issue.

We should remember that 80 per cent. of housing associations are charities. Let us also remember that the Charity Commissioners are saying that it would not be a charitable act for housing associations to take over tenanted properties. Much as the DOE is leaning on them and trying to get them to change the ruling, every housing association knows that it must ask itself this question: if in the judgment of the Charity Commissioners it is not a charitable act to take over tenanted properties, why is it doing so? If the answer is that some bad management needs to be dealt with and the tenants want it, that is the only acceptable reason. Anything else smacks of financial opportunism and building a financial base, leading to the

sort of situation that exists with companies where one large organisation bids for a smaller one to expand its financial or geographical base. That is what housing associations are worried about and why small associations fear the large predator companies.

There is no statutory backing for the Government's intention that rents should be affordable. The Bill abolishes the present statutory limitation to fair rent levels for new housing association tenants and puts nothing in its place, except the so-called tenants' guarantee, policed by the Housing Corporation. The guarantee's provisions are non-statutory and it is woefully weak on rent levels. It states of rents:

"Where accommodation has been provided with the assistance of a public subsidy, or purchased from a public body, such as a local authority or New Town, housing associations are expected to set and maintain their rents at levels within the reach of those in low-paid employment. This will often entail setting rents below market levels. Associations should not discriminate in their rent setting between tenants in receipt of housing benefit and others on below average incomes . . . In addition they are expected to take account of the size, amenities, situation and condition of the accommodation; and the need to cover the costs after subsidy, of loan charges, and management and maintenance including the requirement to make prudent provision for future repairs."

Those two requirements will conflict and, in certain areas, can lead to the assured tenancy rents being higher than market rents.

We have sought by previous amendments to strengthen the position of tenants. We want the Government to come up with some definition of affordability and to consult housing associations before doing so. They cannot go on passing the buck on rents back to housing associations when the grant levels they are offering imply massive rent rises.

The Secretary of State once said to me that he recognised that he had a problem in the south of England because of the high market rents. I said that, if he paid housing benefit that would enable people on lower incomes to pay market rents in the south, the bill would come to billions of pounds. That still would not solve the problem because of the tapers and cut-offs in housing benefit, and the Secretary of State knows that. That is why the Government have gone back on their assumption that they can increase housing benefit. They realised that if they did they would cost themselves billions of pounds without even beginning to address the problem in the south of England. That is the mess that they have got themselves into, but it pales into insignificance compared with the mess of the people who have to pay that bill.

That is why I have often said that we shall reintroduce rents set independently of the landlord, which means controls on rents. Not only would a Labour Government do that, but so will a future Tory Government because it will be impossible to use market rents without increasing housing benefit to the extent that the subsidy on housing benefit exceeds that of the subsidy to the person who is buying a house with mortgage interest tax relief. At present, the figure for that is about £5 billion. I do not believe that the Government will allow a £1 billion increase, let alone one of £5 billion. If that is right, the only course open to them is again to impose rent controls. The alternative would be rents that nobody could afford.

Housing association tenants include some of the poorest households in the country, as the National Federation of Housing Associations survey shows. It cannot be right to expect them to pay 30 or 40 per cent. in rent—in some cases more—from their already low incomes when they will have to pay rates, water charges and the poll tax. There must be some guidelines of affordability. This is an important matter and we shall divide the House on the amendment.

Mrs. Mahon *rose*——

Question put, That the amendment to the Lords amendment be made:—

The House proceeded to a Division——

Mrs. Mahon *(seated and covered):* On a point of order, Mr. Deputy Speaker. I was on my feet and wanted to speak before you called the Division. Labour Members saw that. I have been waiting to speak in the debate.

Mr. Deputy Speaker: I have put the Question and we are in the middle of a Division.

The House having divided: Ayes 68, Noes 169.

Division No. 482] **[12.40 am**

AYES

Alton, David
Archer, Rt Hon Peter
Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Boateng, Paul
Bradley, Keith
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Clay, Bob
Clelland, David
Cohen, Harry
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Ron *(Caerphilly)*
Dixon, Don
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Flynn, Paul
Fraser, John
Golding, Mrs Llin
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Hughes, Simon *(Southwark)*
Johnston, Sir Russell
Jones, Martyn *(Clwyd S W)*
Kirkwood, Archy
Livsey, Richard
Lloyd, Tony *(Stretford)*
McCartney, Ian
Mahon, Mrs Alice
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Morgan, Rhodri
Morley, Elliott
Nellist, Dave
Parry, Robert
Pike, Peter L.
Primarolo, Dawn
Redmond, Martin
Roberts, Allan *(Bootle)*
Rogers, Allan
Ruddock, Joan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Spearing, Nigel
Taylor, Matthew *(Truro)*
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Winnick, David
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Frank Cook.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Bright, Graham
Brittan, Rt Hon Leon
Brooke, Rt Hon Peter
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew

Carttiss, Michael
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Fairbairn, Sir Nicholas
Fallon, Michael
Field, Barry *(Isle of Wight)*
Forsyth, Michael *(Stirling)*
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, P. *(New Forest)*
Mans, Keith
Maples, John
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Stanbrook, Ivor
Stanley, Rt Hon John
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr Tom Sackville.

Question accordingly negatived.

Mr. Derek Fatchett (Leeds, Central): On a point of order, Mr. Deputy Speaker. I wish to ask you a question about procedure during our deliberations on Lords amendments. On the previous batch of amendments there was a substantial and, I thought, reasoned debate setting out the position of the Opposition and of the Government. The Secretary of State intervened in the debate—no doubt he has the right to choose when to speak—and my hon. Friend the Member for Hammersmith (Mr. Soley) responded.

The crucial rights in the House are not those of Front-Bench Members but those of Back-Bench Members, who must be able to defend the interests of their constituents. My hon. Friend the Member for Halifax (Mrs. Mahon), who has been here for a long time—*[Interruption.]* She has certainly been here for far longer than the Conservative Members who are criticising her now. My hon. Friend got to her feet and tried to catch your eye, Mr. Deputy Speaker, because she wished to defend, as a Back-Bench Member should, the interests of her constituents.

I do not criticise you, Mr. Deputy Speaker, but at that stage you decided to call the Division. Surely it is your job to protect the rights of Back-Bench Members——

Mr. Deputy Speaker: Order. It is not for any hon. Member to lecture me about my job. As the hon. Gentleman fairly conceded, we had a thorough debate on that group of amendments. I must tell the hon. Gentleman that it is not for right hon. and hon. Members to decide when they take part in a debate. Members take part in a debate when they are called to do so by the Chair.

When the Secretary of State rose, no other hon. Member was trying to catch my eye. Therefore, I called the Secretary of State. Equally, when he sat down, only the Opposition Front-Bench spokesman was trying to catch my eye. Therefore, I called the hon. Member for Hammersmith (Mr. Soley). It seemed to me to be following the conventions of the House that, after adequate debate, the two Front-Bench spokesmen were winding up the debate. Therefore, at the conclusion of their remarks, I put the Question, consistent with the normal practices of the House.

I add that the question of who is called to speak in a debate is a matter for the discretion of the Chair.

Mr. Redmond: Further to that point of order, Mr. Deputy Speaker. You will recall that last night, during the debate on the private Bill, you were standing outside the Chamber watching the proceedings. A Conservative Member walked into the Chamber and was immediately called to speak by the——

Mr. Deputy Speaker: Order. I cannot comment or rule upon matters that occurred yesterday.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. Now that you have called your Member of Parliament, perhaps you will allow me to help. There was a fairly lengthy debate on the previous group of important amendments. My hon. Friend the Member for Halifax (Mrs. Mahon) is relatively new to the House and, as a member of a minority—[HON. MEMBERS: "What?"] She is one of the few women Members of the House. Since no women Members spoke in the debate, and since we were discussing housing, I should have thought that it would have been a good idea to give someone who is relatively new and who stood up after the two Front-Bench spokesmen a chance to put her views on housing in Halifax. I hope that in future discussions on the Bill you will keep an eye out for my hon. Friend the Member for Halifax and call her to speak.

Mr. Deputy Speaker: The hon. Gentleman will know that that was not a point of order, but it was a perfectly reasonable comment. I share his regret that the hon. Lady has not had a chance to take part in our proceedings, and I shall bear in mind his wish, as always, to be helpful.

Lords amendments Nos. 37 to 43 agreed to.

Clause 35

REMOVAL OF SPECIAL REGIMES FOR TENANCIES OF HOUSING ASSOCIATIONS ETC

Lords amendment: No. 44, in page 27, at end insert—

"(4) If, on or after the commencement of this Act, the interest of the landlord under a protected or statutory tenancy becomes held by a housing association, a housing trust, the Housing Corporation or Housing for Wales, nothing in the preceding provisions of this section shall prevent the tenancy from being a housing association tenancy or a secure tenancy and, accordingly, in such a case section 80 of the Housing Act 1985 (and any enactment which refers to that section) shall have effect without regard to the repeal of provisions of that section effected by this Act.

(5) In subsection (4) above "housing association" and "housing trust" have the same meaning as in the Housing Act 1985."

1 am

Motion made and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Mr. Ridley.]*

Amendment (a) proposed to the Lords amendment, in line 3, after first 'a', insert 'secure'.—*[Mr. Tony Banks.]*

Question put, That the amendment to the Lords amendment be made:

The House divided: Ayes 65, Noes 159.

Division No. 483] **[1.2 am**

AYES

Archer, Rt Hon Peter
Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Boateng, Paul
Bradley, Keith
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Clay, Bob
Clelland, David
Cohen, Harry
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Ron *(Caerphilly)*
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Flynn, Paul
Fraser, John
Golding, Mrs Llin
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Hughes, Simon *(Southwark)*
Johnston, Sir Russell
Kirkwood, Archy
Leadbitter, Ted
Livsey, Richard
Lloyd, Tony *(Stretford)*
McCartney, Ian
Mahon, Mrs Alice
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Morgan, Rhodri
Morley, Elliott
Nellist, Dave
Parry, Robert
Pike, Peter L.
Primarolo, Dawn
Redmond, Martin
Roberts, Allan *(Bootle)*
Rogers, Allan
Ruddock, Joan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Spearing, Nigel
Taylor, Matthew *(Truro)*
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Winnick, David

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Frank Cook.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Bright, Graham
Brittan, Rt Hon Leon
Brooke, Rt Hon Peter
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Forsyth, Michael *(Stirling)*
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Grist, Ian
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, P. *(New Forest)*
Mans, Keith
Maples, John
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Stanbrook, Ivor

Stanley, Rt Hon John
Steen, Anthony
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy
Woodcock, Mike

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Michael Mallon.

Question accordingly negatived.

Lords amendment No. 44 agreed to.

Motion made, and Question proposed, That further consideration of Lords amendments be now adjourned. *—[Mr. Ridley.]*

1.14 am

Dr. John Cunningham (Copeland): The Government are again in a mess with their legislation, thanks to the obduracy of the Secretary of State for the Environment —principally—and the people responsible for this abysmal piece of legislation.

1.15 am

Tonight, the House has to consider 62 pages of more than 270 amendments, mainly emanating from the Government. I make it clear that we are perfectly willing, indeed keen, to continue debating the issues. We know that Conservative Members do not want those issues to be the subject of proper scrutiny or debate, because they are deeply embarrassed about their consequences for millions of families throughout the country.

We know also that matters such as a change of landlord by rigged or gerrymandered voting systems are not among those that the Government want rigorously examined. We know that the Bill's implications and the housing action trust proposals will affect not only thousands of families but whole neighbourhoods and communities. We know also that those proposals have caused misery, distress and uncertainty among communities the length and breadth of the country, and will continue doing so if the Bill is left unamended.

The Secretary of State for the Environment is in the process of hanging a second major albatross around the Government's neck. First there was the poll tax, and now the Housing Bill. It is something of a surprise that the right hon. Gentleman has quit so early in the discussions. After all, it was his well-known boast in the Committee Corridor when this legislation was being considered concurrently with the poll tax Bill that the Housing Bill was more interesting, principally because, as he claimed, he was the author of it. I hope that the Secretary of State's right hon. and hon. Friends are thinking about the quagmire into which he is again leading them.

That is bad enough. What is worse is the Bill's terrible consequences for families in council and private tenancies whom it will affect. I can understand the Secretary of State being miffed about what has happened, but what is more surprising is his apparent belief—of which he was able to convince his right hon. and hon. Friends—that somehow these matters would slide quietly through the House and that we would not be asking serious and searching questions about them.

I have every confidence in my hon. Friends' ability to ask all the questions. I have been here almost all evening, and the questions have been asked but have not been answered. We shall go on asking those questions until we are given the answers.

The Government have not made their intentions clear, but we suspect that there is a guillotine lurking round the corner. It is my hope—and I trust that Conservative Members have the good grace to share it with me—that we shall not see the abandonment on Friday of the promised debate on housing and homelessness in response to the Select Committee on the Environment's second report.

Mr. Trippier: We have had it.

Dr. Cunningham: The Under-Secretary says, "We've had it." Those may be prophetic words, because, judging by his performance so far, if anybody has had it, I guess that he has. He will be only the latest in a line of victims of the willingness of the Secretary of State to sacrifice others on the altar of his stupid ideas and ideological nonsense about how to handle housing and homelessness.

We want to continue the debate now, and we are opposed to the motion to terminate discussion.

Mrs. Mahon: I particularly wished to speak on amendment 44 and the amendment to it, amendment (a), and have been unable to do so. I wanted to speak even more after hearing the Secretary of State refuse yet again to answer points put by my hon. Friends. He treated the House with his usual contempt in his arrogant public-school manner, which I find offensive. My constituents, many of whom live on run-down estates and many of whom are elderly, have been caused the utmost anxiety by this dreadful Bill. They expect and deserve better. In my opinion, the Secretary of State and his Front-Bench team have shown themselves unfit to run even the smallest council.

Conservative Members have shown time after time their inability to understand the genuine concerns of people who need decent housing. Let me briefly run through the package of rights highlighted by my hon. Friend the Member for Leeds, West (Mr. Battle), when the Secretary of State refused to answer.

Opposition Member after Opposition Member has pleaded for something to be done about security of tenure, but all we have been allowed is a very poor performance by the new Minister and no answers whatever. He does not understand what he is doing to people. The mark of a civilised society is the ability to house its people adequately, but the Minister does not even understand the dreadful consequences that the Bill will have.

I wanted to question the Secretary of State about affordable rents. Homelessness is increasing for many reasons, but one of them is quite simple: people on small incomes simply cannot afford soaring rents. When people do not have enough money at the end of the week to feed themselves and to pay the rent, something gives. People are being thrown out on to the streets, and this rotten Bill will throw out thousands more.

I also wanted to talk about other rights, such as the right of succession. Opposition Members wanted to discuss many more issues, but the debate has been deliberately stifled. Let me tell the Secretary of State that if he thinks that he has had it hot up to now, he has seen nothing yet. He is going to be buried in the misery that he is inflicting on the people of this country.

Mr. Cryer: I wish to speak against the proposal. For one thing, several members of the Liberal party are present. Normally they go home early, and now that we have got them here it seems appropriate to continue the debate and give them an opportunity to speak.

Secondly, the Secretary of State has been rather inconvenienced. I dare say that he may have been round at the American embassy last night, watching the election results. He is a bit overtired, and has decided that he cannot be bothered to take the Bill through the House tonight, so he will abandon it. It will not be abandoned for long, because the Secretary of State and his cronies will have it in mind to produce a guillotine. They will trample on the rights of Parliament to engage in proper debate. We are willing to examine the Bill in detail, to make our criticisms and to table amendments. We are here, willing and able to debate this noxious measure. If the Secretary of State and his cronies on the Treasury Bench decide to bring in a guillotine, everyone outside the House should know that the Labour Opposition were here, willing to debate for hour after hour, and if the Government make any cuts, they are deliberately curtailing debate in order to ride rough-shod with their seedy majority of estate agents and merchant bankers and get-rich-quick City people who will troop through the Lobby and get them their majority. It is very important that we should make the position absolutely clear.

As my hon. Friend the Member for Halifax (Mrs. Mahon) said, millions of people fear the legislation. They envisage their security of tenure being eroded and they envisage being treated by the Secretary of State as so many chattels to be sold along with whole council estates. They can envisage quangos being imposed on them.

It is surprising that the Secretary of State is not anxious to proceed with the Bill, as he has acted on it without the legislative authority of the House. He has appointed housing action trusts. The Bill has not been approved by the Houses of Parliament. What could be more offensive to the democratic process than for an ex-public schoolboy, thinking that he has got so far with the Bill, to carry it out although it has not been approved? It is surprising that the Secretary of State is ignoring the House and deploring procedure so that he can get a bit of shut-eye and get to a meeting with the Leader of the House.

Mr. Skinner: The Secretary of State does not want to get to a meeting. He has an appointment in the morning. He has to get the bag out again. He has to troop behind the Prime Minister who has a photo opportunity lined up somewhere in Green park. That is what he is up to. The Prime Minister's husband will be behind them because he is in the refuse disposal business as the deputy managing director of Attwoods. He is not satisfied with doing it on the cheap. He is going to organise a contract and have a gin and tonic with the board while settling the amount of money.

Mr. Cryer: My hon. Friend the Member for Bolsover (Mr. Skinner) is spot on. In addition, the Secretary of State will be having a meeting with the Leader of the House —they are having it right now—to decide what they will do to rescue the Bill.

I am particularly concerned to oppose the progress motion because I have had two meetings at Bierley estate, a big estate in my constituency. The tenants were outraged by the proposal. I went through every detail of the Bill, and they are particularly anxious about the voting proposals.

We want to know whether they plan to cheat the tenants out of the right to reject the proposals to flog off their homes to private landlords so that their position is clarified. They want to know whether the Government take the view that people who are away in hospital, on holiday or wherever should not be included in the voting rights because they will be counted as being against the proposal not to have private landlords. The people of Bierley estate and other estates are anxious. The people of Bierley estate and other estates in Bradford and every other city should know that when I was raising the question of tenants' right to vote, the Secretary of State walked out without providing an answer. In so doing, he treated the tenants of the estate with contempt. The Secretary of State has left the Chamber to consider another planning application in his backyard in Cirencester and Tewkesbury, thus showing his contempt for the people whom we represent.

1.30 am

The tenants of Bierley estate have produced a petition. I told them that this debate was taking place tonight. They held a vote, and voted overwhelmingly against their estate being sold off to private landlords. I wanted an opportunity to go through the petition in a debate and outline what my constituents think of the Secretary of State's proposals. I am being denied that opportunity.

I know what the Government have in mind: a three-hour guillotined debate. The tenants of Bierley and millions of others throughout the country will be denied the opportunity of having their opinions voiced by my hon. Friends due to the Government's chicanery, viciousness and use of the "Pickles" method of chopping debate.

The Tory councillors in Bradford say that council meetings are not secret, but do my hon. Friends know that, on 25 October, when they were discussing the sacking of 9,000 people, Tory councillors in Bradford turned off the microphones so that people in the public gallery could not hear what they were saying? The Chancellor of the Exchequer, too, prevented the public from hearing his remarks directly. He addressed them to journalists, whom he blamed for reporting them accurately. That will prove to be an albatross—there are a few here tonight—around his plump neck.

I want to express my outrage at the Government's shoddy tactics, employed to deny Opposition Members a first-class opportunity to discuss this Bill in detail. Let the tenants of Bierley know that I have mentioned their petition to all the smug Conservative Members sitting comfortably on the Treasury Benches, who are causing so much harm to working people and their families. They will know that our opportunity for debate has been curtailed by the Government.

My guess is that the Government will come trundling in with the Bill on Friday: we shall oppose it tooth and nail, just as, united, we oppose this attempt to curtail debate on this miserable, wretched, obnoxious measure, which should be consigned to the rubbish bin of history.

Mr. Pike: I speak against the motion to adjourn the debate. We should have a chance to debate the Bill. In

[Mr. Pike]

July, I called it a shambles of a Bill, but that was too polite. It is a squalid, disgraceful Bill that fails to tackle any of the housing problems in so many parts of the country.

As my hon. Friend the Member for Copeland (Dr. Cunningham) said, we know that the Government will return with a guillotine that will deny us an adequate opportunity to debate the legislation's important provisions.

We must remember the history of the Bill's progress. It was not given enough time in Committee for proper debate, yet the Government massively amended it there —to such an extent that the Bill that emerged bore little resemblance to the Bill that went into Committee.

On Report, the Government again amended the Bill extensively. They did not allow us time to debate the amendments, and I well recall the evening when we called Division after Division because the guillotine had curtailed debate on many important proposals.

What has happened since then? A large number of amendments were tabled by the Government in another place, as my hon. Friend the Member for Hammersmith (Mr. Soley) said earlier. But, once again, the Government are not prepared to allow time for this democratically elected House to debate the important implications of the Bill.

Mr. Home Robertson: Is my hon. Friend aware that this is an even greater shambles than he thinks? It is a composite shambles. At the moment we are debating legislation for England and Wales but we should presently have been coming to amendments to the Scottish housing legislation. The Housing (Scotland) Bill was supposed to have reached the statute book last week. Because the Government got that wrong too, and because they have already begun transferring public sector housing into the private sector in Scotland, there are five groups of amendments affecting Scotland before us tonight. The Government have brought civil servants down from Edinburgh to cover the debate. They will have to go home as a result of the motion to adjourn consideration and when we come back again——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I remind the hon. Gentleman that he is intervening and should not be making a speech.

Mr. Pike: I am sure that my hon. Friend the Member for East Lothian (Mr. Home Robertson) has made a valid point.

When discussing the Government's disgraceful move to stop democratic debate of the proposals we must take into account the fact that last week the Prime Minister was lecturing Poland on moves towards democracy. The Government repeatedly curtail democracy—in the House, in the trade unions and in local government.

On 14 July, I suggested to the Leader of the House at business questions that the Bill was a shambles and that if the Government really wanted to conduct the legislation properly, the honourable course would be to withdraw the Bill and introduce a new Bill in the new Session dealing with the country's housing problems. The right hon. Gentleman said that he knew that I was trying to help the Government. I again suggest that if he really wants to take the positive way forward and prevent further debate, the most acceptable solution would be to tell us that the Government are prepared to think again to withdraw the Bill and to bring back a Bill in the next, Session to deal properly with our housing problems.

Mr. Simon Hughes: This is an extraordinary Bill, and this extraordinary saga is likely to have an extrordinary conclusion. The Bill came before the House on 19 November last year. It was one of the first Bills that the Government introduced after the election. It was overtaken by many Bills on the way. It was overtaken because the Government had left bits out when they published it and they had to scrap the first edition and reprint it, and because it did not do what the Prime Minister thought it would do.

Two days before the election, the Prime Minister wrote to a tenant in south London explaining that the key part of the Bill, which allegedly gives tenants choice, would depend on a majority of tenants voting in favour of any proposal. A few months ago at Prime Minister's Question Time, I asked how the Prime Minister reconciled that with the fiddled voting system that appeared in the Bill. The Prime Minister said that, as far as she recollected, there was no fiddled voting system and that a majority of tenants was needed to support a proposed change of landlord. She got it wrong. Presumably it was pointed out to her that the Secretary of State and other Ministers had changed the system and produced a Bill with the most extraordinary voting system that we have ever known. The Education Reform Bill requires a majority of the parents voting to vote in favour before a school can opt out. This week the Government proposed an employment code, suggesting that a simple majority would not be a representative view from the work force and requiring a 70 per cent. majority. Yet in this Bill they first proposed a voting system whereby, in a block of 100, the decision to opt out could be taken by just one tenant voting in favour and 49 against. In a letter to me in August the Prime Minister referred to that system as "approval by informed acquiescence". A year after the Bill first saw light, although it was somewhat murky, the country now understands what that means. It means that those who say nothing are presumed to agree with the Prime Minister and to have no view of their own. The Prime Minister expects council tenants to behave like her Cabinet—if she says it will be done, it will be done. That is then called "tenants' choice". Eighty per cent. or more of my constituents are council tenants. What they understand to be the result of the Bill is not tenants' choice but tenants' fear—fear of having people they never chose taking over their homes without their consent and contrary to their wishes. That is not tenants' choice. It is Government diktat —from a Government who lecture others about dictatorship when, at home, they take choice away from the people whom they purport to represent.

There have been two further extraordinary events. There was a proposal that six areas of Britain should have their housing nationalised, taken over by Government quangos and then privatised, without any voting at all. The tenants were not to be allowed any say at all. It was not until the Under-Secretary of State—and the Secretary of State, who flies in and out of the Chamber according to how often his nicotine addiction gets the better of him and forces him to take additional health-reducing sustenance behind the Speaker's chair—went to meet the tenants that they realised that the tenants actually believed that they should have a say in whether their housing was to be taken

over. At the last moment, the team who were at the Department when the Bill started having been reshuffled —the Minister of State was sent to the Foreign Office and the Under-Secretary of State back to Broxbourne—a member of the House of Lords who had never been elected by anyone and would probably not know a constituent if he saw one was released to meet the world on a Sunday programme and suddenly announced that tenants in housing action trust areas would have a vote after all. Twelve months on, the Government generously agree that tenants can have a say. My hon. Friends and I are here today in substantial numbers—*[Interruption.]* The Division records will show that more than two-thirds of our parliamentary party—the very good biblical number of 13—have been present because we believe that it is inappropriate for a Government who have taken a year to get this far suddenly to seek to postpone debate.

We want to debate housing action trusts and tenants' choice. We want to debate the amendments. Fifty three of the 62 groups of amendments selected by Mr. Speaker have not yet been debated. If the Government intend to end this Session with a guillotine on the Bill, which I understand will take three hours of debate, and then force through 53 groups of amendments in the remaining days of this Parliament, they might be advised to think again about how they could make their life just a little easier.

I shall give the Government a simple piece of advice —[HON. MEMBERS: Resign."] That is certainly an option that the Government are entitled to take. If they insist on staying in power and if they say that they actually understand that tenants are people with rights who should have a say, and that millions of people do not accept a fiddled voting system as one with any democratic authority, we should at least have the opportunity to improve what is a travesty of democratic legislation. Any attempt to steamroller it through the House will meet with as much resistance as it is possible to give. I sincerely hope that the Government have a deathbed repentence—repent now and die later.

1.45 am

Mr. Winnick: The Bill is crucial to many of our constituents because it removes protection in the private rented sector. Anyone who becomes a private tenant will be subject to market rents and his security of tenure will be limited. Obviously, we must be concerned about that. It is a crooked system. There is no other way to describe a system under which anyone who abstains is counted as being in favour of his accommodation being taken over by the private sector. Private landlords, even though they will be approved—for what that is worth—can take over any accommodation in our constituencies. There is no way that the local authority can say no. That is why there is so much anxiety.

It is only because of pressure throughout the country and the way that the tenants affected by the housing action trusts made clear their strong opposition that even this Government were forced to listen and, hence, there will be some sort of vote. But why was that not suggested in the first place? Why should those tenants have their properties taken over by quangos and then, in turn, by the private sector, without them being given any vote? So much for a Government who talk about democracy.

All those matters require as much debate as possible because they are crucial to our constituents. Quite a number of Conservative right hon. and hon. Members have vested interests in the Bill and are likely to profit from it. It would be interesting if they were to declare their interests before going into the Lobby.

Someone outside this House—he is not a Tory—has said that he is in favour of the Bill. I refer to Mr. Hoogstraten, one of the most notorious landlords in this country. He is a notorious crook who has been in prison. On a recent television programme he described his tenants as scumbags. There is no lesson that Rachman could have taught that man. When he was asked what he thought of the Bill, he said that it was a step in the right direction. The Bill is a step in the direction for every crook, for every unscrupulous person in the property market, for everyone who wants to make a fast buck and for everyone who wants to create misery and hardship. The Bill represents an advance for such people and they want it on the statute book.

I was a councillor in Brent when the Rent Act 1957 was put on the statute book. Despite all the housing problems there, we, the Labour-controlled council, took upon ourselves the added responsibility of rehousing people who were evicted lawfully under that legislation. All our predecessors' warnings about what would happen, the insecurity and exploitation turned out to be right. They knew what they were talking about. Rachman was not known in 1957, but by 1961 his name was known the length and breadth of the country. We warn today that there will be other Rachmans and Hoogstratens who recognise not only the sums that can be made from new lettings at a market rent, but the danger of private tenants who have protection. There will be every incentive for unscrupulous gangster landlords to get those tenants out because, when the accommodation becomes vacant, it can be relet at market rents.

The Bill is a disgrace. It will not do anything for the homeless, our constituents or young married couples who are desperate for accommodation but cannot afford a mortgage and live either in a rented room or with their in-laws. It will not help people in hardship. As my hon. Friend the Member for Newham, North-West (Mr. Banks) said, there is not a Member of Parliament who does not have adequate housing. I have adequate accommodation and not one of us can claim housing hardship. Surely our constituents have as much right to it. That is why we oppose the Bill. It will not help them and in many ways it will make their position worse. It is a disgrace.

The Prime Minister goes to Poland and lectures the leadership there. If there is any lecturing to be done, it can come from people like us rather than from her. Time and again she uses the guillotine to ensure that Bills such as this are not adequately debated. The guillotine will fall on Friday or Monday and debates will be restricted on clauses which are of the utmost concern to our constituents.

The Bill is a disgrace and its handling has been a disgrace. We shall continue to fight it before and after it goes on the statute book. It is like the Tory 1957 Act. It is ammunition for gangsters and racketeers, and it is wholly opposed to everything that we believe in.

My hon. Friends may not be aware that when the 1957 Act was being repealed by the Labour Government who came to office in 1964—we promised to repeal it during the election—the Tory Opposition did not vote against the Labour legislation. The time will come when we form a Government and repeal this obnoxious legislation which will be so discredited that the Tory Opposition will do

[Mr. Winnick]

precisely the same. They will not vote against the legislation because we shall have been proved right, as our predecessors were 30 years ago.

Mr. Fraser: I am outraged by this abridgement of debate. Somewhere on your desk, Madam Deputy Speaker, is a letter that I sent to Mr. Speaker last Thursday saying that I wanted to speak about housing action trusts. I promised the occupants of 3,000 dwellings, who are part of a HAT, that I would try to say something on their behalf, but there will be little opportunity to do so if the motion is passed.

Those tenants have won a victory. At Question Time last Wednesday, I asked the Secretary of State whether he would accept a ballot by the tenants, but he dismissed the proposition arrogantly. We now have government not by Parliament but by Dimbleby, and on Sunday the Earl of Caithness told David Dimbleby that, contrary to what the Secretary of State told me last week, there would be a ballot by tenants. Although it is a victory, it is not sufficient. We should have preferred the Lords amendment to be passed, but at least it is some advance.

Coupled with the concession made on television on Sunday was a threat of blackmail to 3,000 HAT tenants in my constituency. They were told that if they did not vote for a HAT they would not receive a slice of the £192 million that the Government are allocating to HATs. If the Secretary of State had done that during a parliamentary election he would have been convicted of corrupt practices. He is engaging in blackmail and demanding with menaces by saying, "If you do not vote for a HAT you will not receive a share of the money." On the one hand, tenants are being asked to vote for the Secretary of State's proposals, but on the other for a denial of those funds and a continuation of damp and too much asbestos. They are being asked to choose between the Secretary of State and cockroaches. Some would say that that is a difficult choice to make, but there is a more serious side to this matter. Those 3,000 homes will not be any different whether they are in or out of a HAT. There will still be the same damp and the same lack of insulation. They will still need improvement and will not be sufficiently heated; some will need money spent on them.

My constituents want to explore with the Secretary of State the reason why they will be bribed to vote for a HAT or be denied access to the money. I have no doubt that they will vote against a HAT, but if the Secretary of State wants to save time he should remove part III of the Bill. Once there has been a ballot, HATs will be as dead as the dodo.

Mr. Skinner: My hon. Friend mentioned intimidation. We have just watched the Tory Chief Whip move from his corner seat and go to Madam Deputy Speaker to engage in intimidation against her to get a closure——

Madam Deputy Speaker Order. I assure the hon. Member for Bolsover (Mr. Skinner) that no hon. Member intimidates me.

Mr. Fraser: I hope that the motion will not be passed and that we shall have an opportunity to discuss matters that affect about 6,000 of my constituents. No parliamentary announcement was made about the change of HATs; no parliamentary statement was made last week. The press office at the Department of the Environment had to be opened on Sunday afternoon after the David Dimbleby broadcast to save Ministers' faces by issuing a press notice.

Mr. Morgan: Perhaps the Government have announced a new principle of constitution—no television without representation.

Mr. Fraser: In the light of what has happened recently, no television without repression.

I protest that the chance to rehearse fully the arguments that my constituents in HATs have asked me to advance has been curtailed. I shall vote with all the strength that I can against the motion.

Mr. Tony Banks: I do not think that any Opposition Member would believe for a moment that the Government are democrats. They are not democratic in the way in which they operate. They abuse the rights of the House as they abuse our citizens. We understand that, but we cannot take the hypocrisy of all this. We know, as does everyone else involved in housing, that the Bill will not provide one additional unit of accommodation. It is nothing to do with the housing crisis; it is all about the Conservative party's ideology. The Conservatives hate local authorities providing housing and they will do everything they can—the Bill is part of that strategy—to eliminate the provision of housing by local authorities. We have the evidence of the Government's words and of our eyes when we see their actions.

2 am

We deplore the Bill. It is a lousy, rotten Bill, as my hon. Friend the Member for Walsall, North (Mr. Winnick) said. The people know that. It is impossible for us to stomach the Government's hypocrisy. They are altering the basis of public sector tenancies. They hope to hand large swathes of council tenants into the hands of the Hoogstratens and the nasty gangster landlords who are waiting for the Bill to get on to the statute book. We want the opportunity to expose the bankruptcy of the Government's case, and we need time to do that.

The Government are clearly in a mess. Although I found the Bill iniquitous in the extreme, I had some pleasure in being the agency Whip who was brought back to do his little bit to stall its passage towards the statute book. The Conservative Benches have sometimes been full of Members and sometimes almost empty, but no one has been prepared to answer our case. They just want to steamroller the Bill through Parliament. They want to steamroller the rights of Parliament.

Mr. Nigel Spearing (Newham, South): I agree with all that my hon. Friend has said, especially about local authorities and reasonable rents. Does he agree that it would be in the interests of many Government supporters to follow the Bill because its purpose is not just as my hon. Friend has described it but is to raise the general costs of housing for everyone, including private tenants, to make the housing market equal to the market in everything else, and therefore to put up the cost of housing relative to anything else and to be inflationary, which is contrary to the Prime Minister's claimed objectives? That is the degree of the cunning of the Conservatives who are not there tonight.

Mr. Banks: As ever, my hon. Friend is correct. If we had had a proper debate which continued throughout today, he could have made those points. It appears that we shall be denied the opportunity to hear him.

My hon. Friend the Member for Copeland (Dr. Cunningham) said that the Bill will be an albatross around the neck of the Secretary of State. I shall not go all the way through it, but I remind the House of the first few lines of Coleridge's "The Ancient Mariner" :

> "It is an ancient Mariner,
> And he stoppeth one of three.
> 'By thy long grey beard and glittering eye,
> Now wherefore stopp'st thou me?'"

I shall stop there because, although one may think that the Secretary of State resembles the ancient mariner, he has neither a beard nor a glittering eye. If there were any glitter in one of those eyes which showed any humanity, we would know that it was a glass eye. The Bill will be an albatross around his neck and we shall hang it there.

Mr. Boateng: The Secretary of State is now with us. [HON. MEMBERS: "In body."] During the time that you have been out of the Chair, Madam Deputy Speaker, you have missed a rather interesting, not to say macabre, phenomenon surrounding the person of the Secretary of State.

To outline it briefly, what has happened is that there have been unpleasant manifestations of political will on the Government Benches. As soon as such manifestation has taken place—the most recent of them is the desire of those who sit on the Government Benches to curtail the debate—the Secretary of State disappears and melts into the background, one knows not where. One suspects that he goes somewhere to revitalise his vital forces. He goes away—dematerialises—and then, some time later, manifests himself once again on the Government Benches. That has happened time after time throughout the debate.

Why should that be? The answer may lie in one aspect of this noxious Bill that we are being denied the right to discuss this evening—housing action trusts, the method by which they will come into existence and the way in which properties can be transferred from the trusts into the hands of private developers.

The question that Ministers were unable to answer during earlier deliberations on the Floor of the House and in Committee is precisely the role of the dead in the voting. Any understanding of how this manifestation of the public will is to take place makes it quite clear that for the first time ever the dead will be given a vote. For the first time ever the dead will be seen positively to acquiesce——

Mr. Simon Hughes: It will be informed acquiescence.

Mr. Boateng: Yes. There will be informed acquiescence on the part of the dead. When it is viewed in that rather macabre light, the disappearance and then the reappearance, or manifestation once more, of the Secretary of State becomes that much more clear.

Mr. Hughes: We have always known that the Prime Minister believes that she has great power when communicating with the living. This is an extension of her belief in her new spiritual or supernatural prowess.

Mr. Boateng: That is indeed so, and the Secretary of State is the cat on her broomstick. Our fear is that the Secretary of State is among the undead—the living dead. Once one has made that vital conceptual leap, his appearances and disappearances during the debate become totally explicable.

Mr. Skinner: Where do these series of macabre incidents take place? Would I be right to assume that they take place in Finchley at a Westminster council cemetery? What is the charge for witnessing these scenes? Is it 5p, or is it £2 million? Who is on the gate? Is it Lady Porter? Is she in charge? Is my hon. Friend aware that the reason the Government intend to close the debate shortly is that there is a Cabinet meeting in the morning—well, some people call it a Cabinet meeting but others call it the "Spitting Image" show.

Mr. Boateng: A "Spitting Image" show—or a seance? Which is it?

There is a way of determining the undead. In the absence of a silver bullet, and not wishing to descend to the level of a stake through the heart, one is driven to a time-honoured process. In this I have been greatly assisted by my hon. Friend the Member for Halifax (Mrs. Mahon), who has provided me with a mirror. All that I need do is to put this picture of the Secretary of State in front of the mirror. If it does not immediately manifest itself in the mirror, the Secretary of State is truly of the undead. Madam Deputy Speaker, there is no image in the mirror.

But I digress slightly from this serious debate. Housing action trusts are a fundamental denial of democratic rights. They are the very negation of the people's right to choose. Of late, we have heard much from the Prime Minister about the people's right to choose. She went to Poland and lectured General Jaruzelski. In breathy tones, she said, "You know, people ought to be able to make vital choices that affect their lives. They ought to be able to make those choices. And do you know what we have found when we give them the opportunity to make those choices? Well, normally, you know, people make the right choice." That is what the Prime Minister said in Poland; why does she not give that right to the people who live on estates in this country? When she does, we can have a little more confidence in the assurances given to us by Ministers.

The Government do not trust the people. They will not allow an open debate on this vital issue. As long as they continue to deny us the opportunity to debate the Bill, they must recognise that we shall push the matter here and in the country at large. We shall fight this Bill from here to Halifax.

2.15 am

Ms. Primarolo: When the Bill was introduced by the former Minister for housing and Planning, the hon. Member for Bristol, West (Mr. Waldegrave), it was heralded as the most radical housing Bill this century. The offensive tactics that the Government have used as the Bill progressed through Committee, Report stage and the other place were certainly radical. It is strange that the Government are surprised that we oppose the Bill so vigorously. They are trying to reverse an important principle that was enshrined many years ago in the Housing Acts of Addison and Wheatley—that housing should be provided on the basis of need, at a reasonable cost, and that profit should not be made from that provision. It should be a social provision. The Bill would completely undermine that principle.

[Ms. Primarolo]

The Government have been creative in the provision of information to the public about what has happened in Parliament. They have not always told the truth. On 6 November, on the programme "On the Record", which seems to be more effective in obtaining answers from the Government than anyone else, the Earl of Caithness—under pressure—promised twice in the interview that tenants transferring into housing action trusts would have the right to vote and that a simple majority would suffice. That has not happened. We are told that many of the amendments are technical, but examination of the *Official Report* of the other place reveals that there was no debate of some amendments. Among the amendments which we have been denied the right to debate tonight are those in the group headed by Lords amendment No. 92. They are classed as technical, but they could be used to asset-strip local authorities as some of their housing stock could be forcibly removed. We have been denied the opportunity to question the Minister on those amendments which hitherto have been moved formally and not explained.

The Government are attempting to face both ways when it comes to what they consider democratic. All but the most partisan—unfortunately, the deliberately partisan have a majority in the House—regard the Government's proposals as undemocratic and unprincipled. The Government have confirmed us in that belief time and again by denying us the right to explore what is going on.

The Government have proposed a curious voting system. As my hon. Friend the Member for Brent, South (Mr. Boateng) said, the dead and those who do not vote are deemed to have voted in favour of a transfer. The Government call it the inertia vote. *[Interruption.]* They gave reasons for it. In a quite different document, the Government talk of a new model active citizen——

Madam Deputy Speaker: Order. The House is showing great discourtesy to the hon. Lady.

Mr. Cryer: On a point of order, Madam Deputy Speaker. I think that the noise may be the result of hon. Members' concern that an obscene picture has been laid on the Table of the House. Hon. Members wonder whether the Secretary of State has been nipping out during the debate to examine the document.

Madam Deputy Speaker: Order. The hon. Member for Bristol, South (Ms. Primarolo) should be heard by hon. Members on both sides of the House.

Ms. Primarolo: Thank you, Madam Deputy Speaker. The document on the active model citizen talks of the interventionist role of individuals to improve the lot of their neighbours. That does not square with the proposal for an inertia vote. Indeed, inertia voting goes against the principle of natural justice. The Government, however, are denying us the right to question them on that.

Mr. Spearing: My hon. Friend has told us that the Earl of Caithness made a statement on television about voting for potential HAT tenants. It seems that that which featured in the earl's statement has not appeared on the Amendment Paper and that the Government are not proceeding with it. There are two members of the Cabinet on the Treasury Bench, and if they wished to intervene I am sure that my hon. Friend would be prepared to give way to allow them to do so. Is it not high time, even during the debate on the motion, for them to tell us whether there is a reason for the Government choosing not to proceed with that which the Earl of Caithness described on television? Surely they should explain what will happen. If the guillotine does not provide sufficient time for an explanation to be given at a later date, there is sufficient time now. Or is this yet another example of a Minister saying something to the media—this time in public—that is not being carried out in practice?

Ms. Primarolo: The Government do not intend to give us the truth about the Bill, and that is the purpose of the motion. They will not engage us in debate. The occupants of the Treasury Front Bench have not moved, and it is clear that even at this late stage they will not come clean.

The Bill makes no provision, suggestions or proposals. We have not been convinced by any arguments that we have heard to date that have sought to explain why the Government are so passionately committed to the principle that private accommodation and private landlords will provide accommodation and correct the problems of homelessness and poor accommodation. The Government need to be reminded that council housing exists because of the failure of the private sector to house the people.

As a new Member, I suffer occasionally from the delusion that the purpose of being here is to debate, discuss, question, clarify and express the points of view of those whom we represent. During the passage of the Bill the Government have shown nothing but contempt for the electoral process, the rights of the people to housing and the rights of hon. Members to question and challenge them. Is it true that we no longer have the accountability of Ministers in the House? Whenever they do not want to answer a question, they move the closure, suspension and a timetable motion. That is what they have done throughout our discussions on the Bill. It is a disgrace. How dare they talk to us about giving people choice when they do not give Members of this place the right to choose what to question them upon?

The Parliamentary Secretary to the Treasury (Mr. David Waddington) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 149, Noes 46.

Division No. 484] **[2.22 am**

AYES

Alexander, Richard	Bowis, John
Alison, Rt Hon Michael	Brazier, Julian
Allason, Rupert	Bright, Graham
Amos, Alan	Brittan, Rt Hon Leon
Arbuthnot, James	Brooke, Rt Hon Peter
Arnold, Tom *(Hazel Grove)*	Bruce, Ian *(Dorset South)*
Ashby, David	Burns, Simon
Atkins, Robert	Burt, Alistair
Baker, Nicholas *(Dorset N)*	Butler, Chris
Baldry, Tony	Butterfill, John
Batiste, Spencer	Carlisle, John, *(Luton N)*
Bellingham, Henry	Carlisle, Kenneth *(Lincoln)*
Bennett, Nicholas *(Pembroke)*	Carrington, Matthew
Bevan, David Gilroy	Carttiss, Michael
Biffen, Rt Hon John	Coombs, Simon *(Swindon)*
Boscawen, Hon Robert	Cran, James
Boswell, Tim	Currie, Mrs Edwina
Bottomley, Peter	Davis, David *(Boothferry)*
Bottomley, Mrs Virginia	Dorrell, Stephen
Bowden, A *(Brighton K'pto'n)*	Douglas-Hamilton, Lord James

Durant, Tony
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Forsyth, Michael *(Stirling)*
Garel-Jones, Tristan
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Grist, Ian
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
MacGregor, Rt Hon John
McLoughlin, Patrick
McNair-Wilson, P. *(New Forest)*
Mans, Keith
Maples, John
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Stanley, Rt Hon John
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. David Maclean and
Mr. Michael Fallon.

NOES

Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beith, A. J.
Boateng, Paul
Bradley, Keith
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Clay, Bob
Cohen, Harry
Cryer, Bob
Cunningham, Dr John
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fraser, John
Haynes, Frank
Home Robertson, John
Howarth, George *(Knowsley N)*
Hughes, Simon *(Southwark)*
Livsey, Richard
McCartney, Ian
Mahon, Mrs Alice
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moore, Rt Hon John
Morgan, Rhodri
Morley, Elliott
Parry, Robert
Pike, Peter L.
Prescott, John
Primarolo, Dawn
Redmond, Martin
Roberts, Allan *(Bootle)*
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Taylor, Matthew *(Truro)*
Vaz, Keith
Wall, Pat
Wallace, James
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Winnick, David

Tellers for the Noes:
Mrs. Llin Golding and
Mr. Frank Cook.

Question accordingly agreed to.
Question put accordingly:—
The House divided: Ayes 146, Noes 46.

Division No. 485] **[2.34 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Fairbairn, Sir Nicholas
Field, Barry *(Isle of Wight)*
Forsyth, Michael *(Stirling)*
Garel-Jones, Tristan
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Grist, Ian
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Harris, David
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
MacGregor, Rt Hon John
McLoughlin, Patrick
McNair-Wilson, P. *(New Forest)*
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Stanley, Rt Hon John
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trippier, David

Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. David Maclean and
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NOES

Ashdown, Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beith, A. J.
Boateng, Paul
Bradley, Keith
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Clay, Bob
Cohen, Harry
Cryer, Bob
Cunningham, Dr John
Dixon, Don
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fraser, John
Haynes, Frank
Home Robertson, John
Howarth, George *(Knowsley N)*
Hughes, Simon *(Southwark)*
Livsey, Richard
McCartney, Ian
Mahon, Mrs Alice
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morley, Elliott
Parry, Robert
Pike, Peter L.
Prescott, John
Primarolo, Dawn
Redmond, Martin
Roberts, Allan *(Bootle)*
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Taylor, Matthew *(Truro)*
Vaz, Keith
Wall, Pat
Wallace, James
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Winnick, David

Tellers for the Noes:
Mrs. Llin Golding and
Mr. Frank Cook.

Question accordingly agreed to.

Further consideration of Lords amendments adjourned.

To be further considered this day.

SCHOOL BOARDS (SCOTLAND) BILL

Order for consideration of Lords amendments read.

To be considered this day.

ALL PARTY AND PARLIAMENTARY GROUPS

Resolved,

That this House approves the Resolution of the Select Committee on House of Commons (Services) relating to All Party and Parliamentary Groups, as set out in the Minutes of Proceedings of the Committee of Tuesday 25th October 1988 (HC 183-V).—*[Mr. Dorrell.]*

EUROPEAN LEGISLATION

Ordered,

That Mr. Robin Squire be discharged from the Select Committee on European Legislation, and Mr. Michael Knowles be added to the Committee.—*[Mr. David Hunt.]*

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

Public Health

That the Food Protection (Emergency Prohibitions) Amendment No. 4 Order 1988 (S.I., 1988), dated 28th October 1988, a copy of which was laid before this House on 31st October, be approved.—*[Mr. Dorrell.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(5) (Standing Committees on European Community documents).

Pharmaceutical Directives

That this House takes note of European Community Document No. 4171/88 on the extension of the pharmaceutical directives to medicinal products not yet covered; endorses the view that these instruments are a necessary component in the completion of the internal market in medicinal products to which the Government is committed; and supports the Government's intention to ensure that the Commission's action in this field continues to take full account of the United Kingdom's interests.—*[Mr. Dorrell.]*

Question agreed to.

Hospital Service, Leicestershire

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dorrell.]*

2.47 am

Mr. Michael Latham (Rutland and Melton): In September, the Leicestershire health authority put forward a series of drastic proposals for public consultation. They affect all hon. Members with Leicestershire constituencies, and I have already advised you, Madam Deputy Speaker, and my hon. Friend the Minister, that any Leicestershire Member who seeks to catch your eye will have my agreement to take part in this short debate.

Before that, I record the presence of my hon. Friend the Member for Loughborough (Mr. Dorrell). As a Whip, he is not allowed to speak but I know of his tremendous commitment to the Health Service in his constituency. The hon. and learned Member for Leicester, West (Mr. Janner) and my hon. Friend the Member for Bosworth (Mr. Tredinnick) are away from the House on important business, but have sent their good wishes; my hon. Friend the Member for Harborough (Sir J. Farr) is, alas, unwell and awaiting an operation, but he has always been a tower of strength in lobbying for Leicestershire and he telephoned his good wishes from his sick bed.

The health authority is short of cash, especially the extra money needed to open phase 2 of the new Glenfield district hospital in 1990-91, and phase 4 of the Leicester royal infirmary in 1991-92, together with two small schemes in Loughborough and Hinckley. Those schemes alone will produce a deficit of more than £4 million. If the authority proceeds with other desirable improvements the deficit will be nearly £8 million, and by 1994, if nothing is done, it will have risen to £21 million.

The authority is trying to achieve savings by completely closing eight hospitals, transferring some wards between the various city hospitals and closing all four rural maternity units. Two of the hospitals scheduled for closure —Framland and Catmose Vale—and two of the maternity units—at St. Mary's, Melton Mowbray, and at Rutland memorial hospital—are in my constituency.

Leicestershire health authority has long been underfunded. When I was a new Member in 1974 Leicestershire received only 75 per cent. of national average NHS funding. With all the other county and city Members of Parliament at that time I went to see Mrs. Barbara Castle, the then Secretary of State. We urged her to improve Leicestershire's share of national resources and to permit the proposed new Glenfield hospital, at that time threatened with the axe, to be built. As a result of sustained all-party pressure and the good effect of the resource allocation working party, Leicestershire now gets 96 per cent. of the NHS national average, which is still not enough, but better than 75 per cent. The new Glenfield general hospital has been open for a couple of years, and funding phase 2 of it constitutes part of our financial problem.

I am delighted to see my hon. Friend the Minister here, even at 2.48 am, but I must press her, first, to defend the RAWP formula. It is essential to Leicestershire, and we must proceed to 100 per cent. average funding as quickly as possible. Some people, perfectly honourably, have suggested mothballing the new Leicester units. I cannot support that, having pressed for almost 15 years for them to be built. Many of my constituents will benefit from them. I press my hon. Friend to ensure that some of the new money announced for the NHS by the Chancellor in his autumn statement be urgently directed to Leicestershire to help it cope with its immediate cash crisis.

Several of the hospitals scheduled for closure were announced as long as over three years ago in the authority's 1985 strategic plan. Both Framland and Catmose Vale hospitals in my constituency are old hospitals. Splendid care of the elderly takes place at both units and I pay tribute to the staff. However, I do not oppose their closure, and nor do many of my constituents. We merely demand that some of the large sums released from the sale of the land be ploughed back into adequate provision of extra beds for the elderly in other hospitals in Melton and Oakham and into really effective community care. It will not be adequate to rely solely upon the private nursing homes, although they have an important part to play, and it will be wholly unsatisfactory to take maternity beds at the Rutland memorial hospital for the purposes of geriatric care. Rutland people expect additional provision to be made for the elderly at Rutland memorial hospital, with the use of some of the money from the sale of Catmose Vale, as was specifically promised in the 1985 strategy document. The elderly patients and the splendid staff deserve better than the health authority's present proposals, which seem ill thought out and inadequately related to the local needs of elderly people, who need to be visited by their families and friends.

Let me deal with the shameful proposal to close the rural maternity units at Oakham and Melton Mowbray. In my view, this proposal shows a complete lack of concern for the wishes of ordinary people in rural areas. In 1987, there were 296 maternity beds in seven hospitals throughout Leicestershire, providing for 10,789 deliveries. The new proposal is for 220 beds in two hospitals, both in Leicester city, for 11,000 deliveries, with the remaining five units being closed down.

That is the mentality of the NHS production line: grab them in and shove them out again and never mind about the wishes of the mother and the family. Those crude proposals have aroused immense anger in my constituency —anger that I share. They are dressed up as being good for mother and baby, allegedly because the birth will take place in a modern, hi-tech general hospital. The proposals ignore the fact that the two units are safe and friendly and, above all, accessible to women living in rural areas.

The NHS has been closing rural units for far too long. I can best illustrate that point with a personal example. My eldest son James, who is nearly 13, was born in November 1975 in Corby maternity unit, four miles from my home in Gretton. My younger son Richard, who is 9¾, was born in Kettering general hospital, 13 miles away, in February 1979 because the Corby maternity unit had closed in the intervening years. My wife went into labour with Richard, my younger son, in the middle of a massive snowstorm. The ambulance just got her out of my village before lunch, and she was the last person out of the village that day. I could not get out because I had to look after James at home. I did not see Richard until 24 hours after he was born and the roads had been cleared by snow ploughs.

That is the miserable prospect that awaits my constituents—except that the distance from some of the Rutland and Vale of Belvoir villages to Leicester is over 30 miles, often along poor roads and perhaps in fog, ice or snow. No, thank you very much. That simply is not tolerable, and I will not let it happen, especially when any

[Mr. Michael Latham]

financial saving from such closures would be negligible, and the inconvenience, expense and worry for my constituents quite unacceptable.

I have great personal affection and respect for my hon. Friend the Minister. I shall make her an offer that she cannot refuse. If she wants my support for her conduct in the House of the NHS she will tell Leicestershire health authority here and now that the rural maternity units must be saved. If she does not, I promise her that I will make her ministerial life a misery until the units are saved. My constituents are simply not to be treated in that cavalier and unreasonable manner by the health authority. My hon. Friend the Member for Harborough has said the same. He has told the authority of his complete opposition to the closure of the maternity unit at Market Harborough cottage hospital. His wisdom, experience and knowledge of his constituents over nearly 30 years in the House deserve respect.

Finally let me say a word to the Leicestershire health authority, to which I shall also make an offer that it cannot refuse. I have a letter from the chairman, Mr. George Farnham, who is an old and valued friend of mine. It is a stick of political dynamite, and I intend to explode it now. He wrote to me 14 months ago on 8 September 1987, referring to maternity services in Melton and Rutland:

> "There is no question in my mind or in the minds, to the best of my knowledge, of our Gynaecologists about the retention of the peripheral maternity units; they will be retained as presently constituted. I hope this puts your mind at rest on this matter."

Mr. Farnham is a man of honour. I am sure that he will now tell his colleagues and staff in the health authority that the proposals cannot proceed. The maternity units must be saved forthwith and the battle should be won tonight.

I now invite other hon. Members from Leicestershire briefly to express their constituency concerns.

2.56 am

Mr. Keith Vaz (Leicester, East): I am grateful to the hon. Member for Rutland and Melton (Mr. Latham) for the opportunity to take part in the debate. I congratulate him on the impressive stand that he took in the debate on the imposition of charges for eye and dental tests which we both agree will deny many people, especially the elderly, the right to medical services.

It is appropriate that we should discuss the Health Service in Leicestershire because a sickness is spreading through it. The root cause is, of course, resources. When my day began at 9.30 am yesterday I attended, with many mothers and babies from the constituencies of the hon. Member for Rutland and Melton and the hon. Member for Leicestershire, North-West (Mr. Ashby), who is also present in the Chamber, a lobby of the health authority in Princess road, Leicester. The object was, of course, to protest against the closure of the eight hospitals. Two have already been mentioned. The others are the Ashby and district hospital, Blaby hospital, Fielding Johnson, Higham Grange centre, the Regent hospital and the Roundhill maternity home. When one adds to those the proposed closures of wards at Groby road and Leicester general hospital in my constituency and the possible closure of the Towers hospital in 1992, one realises that the Health Service in Leicestershire is in crisis.

I pay tribute to the work that has been done by parents and staff and by unions such as NUPE and COHSE to oppose the closures. There are currently 8,500 people on the hospital waiting list in the Leicestershire district. There are 600 people waiting for orthopaedic operations; and it will take 60 full days of surgery to clear the urgent list, the only definition of urgency in such cases being that of indescribable pain. In Leicestershire it takes months or even years to get a hearing aid approved and fitted.

The morale of staff at local hospitals is at an all-time low. On Saturday 12 nurses came to my surgery at the Coleman neighbourhood centre. Sister Sandra Burgin has been working for more than 20 years as a theatre sister at the general hospital. Last week her managers announced to her that she would be receiving a pay rise of 38p per week. She says that that is a disgrace, and I agree. Ancillary workers at the hospital are being denied a pay rise of just £1·50 per week. The Government have robbed the Leicestershire health authority of more than £20 million in the past five years, and it will be a further £8 million short this year.

So far, 34 right hon. and hon. Members have signed my early-day motion opposing the closure of the eight hospitals. It must be pointed out, however, that the health authority still wastes a great deal of money. For example, in the general hospital in my constituency the health authority has decided to undertake a scheme called QED, resulting in hundreds of large red feet stickers being spread all over the hospital in an attempt to save money. That scheme has cost several thousands of pounds.

We all know where the blame lies and who is responsible. We know who has betrayed the county and who has robbed the people of Leicestershire of a decent Health Service and turned it into a jumble sale. I gave notice before the debate informing the Chancellor of the Exchequer, the right hon. Member for Blaby (Mr. Lawson), that I should be talking about him. I describe his attitude and conduct as hypocritical. Blaby hospital is in his constituency, but he has not lifted a finger to prevent its closure. This morning a petition of 10,000 signatures was presented to save the hospital.

Last week in the House of Commons the Chancellor promised £2 billion for the Health Service. I should like to know what will be Leicestershire's share. The Chancellor should be ashamed of himself because, as a Leicestershire Member of Parliament, he has taken part in a conspiracy to deny the people of Leicestershire their fair share of services. We want the cash, and we want it now.

3 am

Mr. David Ashby (Leicestershire, North-West): I am grateful to my hon. Friend the Member for Rutland and Melton (Mr. Latham) for initiating this debate.

We have just heard something of a political tirade from the hon. Member for Leicester, East (Mr. Vaz). He was not a Member in 1983 and so would not remember the hard work of my hon. Friends the Members for Rutland and Melton, for Harborough (Sir J. Farr), for Loughborough (Mr. Dorrell), the hon. and learned Member for Leicester, West (Mr. Janner) and myself to ensure that Leicestershire received a fair share of the national RAWP average. It was down to 92 per cent. and the position was acute. It is now up to almost 97 per cent. That is not good enough—we

want 100 per cent.—but there has been a definite improvement. I am grateful to all those who worked so hard to achieve that.

We can appreciate the difficulties in which the Leicestershire health authority finds itself. In 1979 it had old hospitals, but all plans were put on the shelf because the previous Government had failed to provide sufficient funding for the NHS. Leicestershire health authority was desperate. It had to dust the plans off the shelf and try to provide the services that Leicestershire needed. It did not have sufficient acute services. Since 1984 there has been £18 million of new investment and a vast increase in the services required, above and beyond those that could be readily appreciated. As a result, the health authority is in some difficulty. It is not of its own making or that of the Government; it is simply a fact.

There has been enormous investment in Leicestershire, and we should be grateful to the Government for that. Leicestershire has centres of excellence. If I were to be desperately ill, I would rather be ill in Leicestershire than anywhere else. A new hospital was opened recently at Coalville. It provides much-needed services for the elderly. Because the population is becoming older, there is a need for those services. The hospital includes what I believe to be a very important service, the general practitioner beds. They are vital to the community. Many families who look after elderly relatives need some relief for a short time. Often one elderly person looks after another who is seriously ill, and he needs to have a few days break every six weeks or so.

Although I am pleased about the opening of Coalville hospital, it has placed the Ashby district hospital at risk. It has been in existence for more than 100 years and is very much loved. It has a maternity unit, but the difficulty is that there are only 3·4 births per week in the unit. Bed occupancy is only 33 per cent. Only easy births take place there; difficult births take place at the royal infirmary. The average stay is five days. I have spoken to the experts—not the doctors, but the nurses who run the unit—who say that they can never predict whether a birth will be easy or difficult. One in 10 is difficult and the patient has to be rushed to a major hospital. The nurses feel that the mothers are too much at risk. That is just one view and there are others. Mothers say, "Mothers are entitled to choose", but it is often those who have had an easy birth who say that. Those who had a difficult birth say, "Thank goodness we have these centres of excellence in Leicestershire."

Those are the two sides of the argument, which is a sad one. We must look at the overall picture and appreciate the difficulties of the area health authority. We must stress that it is providing excellent NHS facilities for the critically ill for the whole of Leicestershire.

3.5 am

The Parliamentary Under-Secretary of State for Health (Mrs. Edwina Currie): I congratulate my hon. Friend the Member for Rutland and Melton (Mr. Latham) on winning the ballot. He takes a great interest in the welfare of his constituents and health care nationally. I took seriously his threat to make my life a misery, but I have to tell him that so long as I hold this great office of state and see daily many marvellous examples of good care in the NHS and outside, my life is a joy and nothing that he can do can dent it, even at 3 am.

I welcome my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby) who is my neighbour. I join in his delight at the new Coalville hospital which has been welcomed and enjoyed by his constituents. I hope to see it before too long. I am sorry that our hon. Friend the Member for Harborough (Sir J. Farr) is unwell and I hope that my hon. Friends will convey to him my good wishes for a successful treatment and speedy recovery. If there is anything that I can do to help I should be glad to make myself useful, but I am sure he is being extremely well looked after at home.

I also note the presence of my hon. Friend the Member for Loughborough (Mr. Dorrell) in his place on the Front Bench. That surprises me because I have in front of me the profile of Leicestershire district health authority produced by my Department and dated 31 October 1988 in which he, with his majority of 17,648, is recorded as a Labour Member. I think that that is a mistake and I am glad to have his support tonight.

I note also what the hon. Member for Leicester, East (Mr. Vaz) has said and shall comment on his points as I proceed.

Trent regional health authority has benefited enormously from Government policy in recent years, as all present acknowledge. Ten years ago, when the party which the hon. Gentleman supported and probably still supports was in power, the authority was receiving £369 million. Last year it rose to just over £1 billion—an increase of about 14 per cent. in real terms—and Trent's initial cash allocation for this year was increased by 6·3 per cent. to over £1,050 million, which is well above the national average increase of 5·7 per cent. That shows both how much we care about the region and the tremendous improvement, particularly in the position of the regional health authority in relation to RAWP.

As I said on Monday night when my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) was drawing attention to issues on health care also covered by Trent regional health authority:

> "We should not underestimate the impact of the Trent regional health authority or of the National Health Service generally on local life. More than 660,000 in-patients were cared for in Trent hospitals last year and total employment in the regional health authority stands at about 75,000 whole-time equivalent staff. The amount of money contributed to the local economy by the health authority is considerable."—[*Official Report*, 7 November 1988; Vol. 140, c. 149.]

Leicestershire health authority is the biggest district in the country. It looks after a population of about three quarters of a million. It is a major centre for teaching and health care. It looks after about 100,000 in-patients a year and nearly 600,000 out-patients, with over 12,000 staff. In the past four years there has been an increase of more than 500 in front-line manpower—doctors and nurses. That is hardly the picture of misery that was painted by the hon. Gentleman. This year its capital allocation, for example, plus estimated income from the sale of land, will come close to £20 million.

When I became a Member of Parliament, Leicestershire heath authority was receiving £116 million a year. Last year it was £162 million and this year it is £177 million, which, as my hon. Friend the Member for Leicestershire, North-West said, demonstrates the improvement in service and funding. Indeed, it gives the lie to what the hon. Gentleman said. So much for Government robbery. If that is robbery, most local people would rather have

[Mrs. Edwina Currie]

more of it than less. The development of services in Leicestershire was described in the strategic review which Leicestershire health authority recently produced. I understand that it is out for consultation, so hon Members will realise that I am constrained in what I can say.

In 1984, the health authority started thinking about future services. The strategic plan was approved following wide public consultation and published in 1985. A number of the health authority's present plans were not in the plan published in 1985. The intention is to provide a first-class acute specialist service from three general hospitals—the Leicester Royal infirmary, Leicester general and Glenfield hospital, which are all in Leicester—but at the same time to redevelop smaller hospitals around the county into a series of community hospitals mainly concentrating on the care of elderly people, in which the growth of need is likely to be sharpest in the next few years.

I heard what my hon. Friend the Member for Rutland and Melton said about geriatric services, but we cannot escape the fact that there will be a rapid increase in the number of elderly people. They will increasingly need our help in the future.

In the short time that I have left I shall concentrate on maternity care. I heard what my hon. Friend the Member for Rutland and Melton said about maternity care, but I hope that he will think that his criticism of the big hospitals was somewhat over the top. I shall not rehearse my obstetric history, but I had both my children at a major teaching hospital in the midlands, and I am glad that I did. I was booked as a low-risk mother, as most people with my background and housing would have been. I was not low risk and experienced problems, and I was extremely glad that everything was on tap. My baby was delivered in a slightly less than usual way, but she is fine. Had I had these problems elsewhere, we might have formed part of the statistics to which I shall refer in a moment. Throughout the country, hundreds of women receive excellent care in the major hospitals and it is not appropriate to infer that because a hospital is big it cannot give kindly care or that the quality of care is diminished. I hope that that is not the case, and I am certain that it is not in Leicestershire.

My hon. Friend the Member for Leicestershire, North-West drew attention to something that is of significance in the papers prepared for consultation by the district health authority. The number of occupied beds for maternity care at Ashby hospital in the year ended 31 March 1988 was 5·9. That is quite a reasonable occupancy, but it suggests that there is a gap. At Roundhill there are 30 beds, of which 15 are unused, and the number of occupied beds is only 6·1. At St. Mary's, Melton, there are 10 beds, of which only five are used. At Rutland Harborough there are eight beds, of which three are used. At Loughborough there are eight beds, of which six are used. By "used", I mean the average number of occupied beds. The number of births per bed per year in those hospitals in 1987 ranges between about 32 or 33 at St. Mary's, Melton, and 11 at Market Harborough.

I accept that in the strategic plan, the four small hospitals—particular reference has been made to the GP maternity beds—were regarded as remaining in use until the end of the planned period. My hon. Friend the Member for Rutland and Melton was right to draw attention to that, but it should be noted that the health authority decided in May 1987, following consultation and with agreement, that the total number of GP maternity beds in Market Harborough, Oakham and Melton Mowbray should be reduced from 56 to 31 in view of the significant under-use. The rate of use of some of those beds after that reduction is still less than half. Their main use is for out-patients, and that will remain so. Wherever babies are being born in Leicestershire, they are not, on the whole, being born in the small maternity units.

I am told that ante-natal care will be provided at each of the four hospitals and the accommodation released is intended for a variety of uses, most of which will require accommodation for geriatric patients, additional support services and out-patient clinics.

In a question to my right hon. Friend the Leader of the House, my hon. Friend the Member for Rutland and Melton said that he wanted no generalities and expected "to hear that the proposals to close all rural maternity units have been dropped?"—[*Official Report*, 3 November 1988; Vol. 139 c. 1189.]

The proposal has not been dropped. The health authority has not finished consultation on the matter. The proposal has not come before Ministers. That will probably happen next spring, but only if there is failure to agree locally. Whatever decision is taken it will be in the interests of the patients, and that includes unborn children. I carry the burden of knowing that 45 women in the United Kingdom died in childbirth last year. Although we announced yesterday that we have the lowest infant death rate on record, in comparison with other countries Britain has a worse record. The death rates in other countries of tiny babies have tended to fall faster.

I am grateful for this opportunity to listen to the views of my hon. Friends. The debate has shown again their interest in their constituents. I hope that they will take on board that we are trying to provide the best service that we can. I hear the commitment that my hon. Friend the Member for Rutland and Melton has made to the small maternity units and we shall ensure that his views, those of his constituents and other hon. Members are taken into account.

Question put and agreed to.

Adjourned accordingly at fifteen minutes past Three o'clock.

House of Commons

Thursday 10 November 1988

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TEIGNMOUTH QUAY COMPANY BILL *(By Order)*

YORK CITY COUNCIL BILL *[Lords] (By Order)*

CARDIFF BAY BARRAGE BILL *(By Order)*

FALMOUTH CONTAINER TERMINAL BILL *(By Order)*

Orders for Second Reading read.
To be read a Second time on Thursday 17 November.

Oral Answers to Questions

NORTHERN IRELAND

Housing (Relined Flues)

1. **Mr. A. Cecil Walker:** To ask the Secretary of State for Northern Ireland how many flues in houses owned by the Northern Ireland Housing Executive have been relined during the past five years; and what is the projection of numbers for the period up to 31 March 1990.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Richard Needham): The chairman of the Northern Ireland Housing Executive tells me that records exist only for the last four years, during which 11,157 flues were relined in specific upgrading programmes. A further 4,285 are expected to be relined by the end of March 1990. Other relinings are carried out in comprehensive improvement programmes, but separate figures are not available.

Mr. Walker: I thank the Minister for that reply, but he must be aware that many people have purchased their Housing Executive homes through Government encouragement. Is he aware that, unfortunately, many of those people have defective chimneys due to the flawed rubber sausage method which is used to repair defective flues? As many people are financially unable to have those defects remedied, I ask the Minister, especially in the interests of health, to agree to have those chimneys repaired, either by direct labour or by grant-aid.

Mr. Needham: As much as I should like to help the hon. Gentleman's constituents with the problems caused by their flues, the fact is that they bought the houses from the Housing Executive. If they bought the houses under conditions which were not for any particular reason made clear to them, they can of course take legal action, as I believe some already have. However, the principle of caveat emptor has to be maintained and, of course, it is really up to the purchaser to sort out the matter with the Housing Executive.

Rev. Ian Paisley: Will the hon. Gentleman keep in mind the great hardship that occurs when this alteration is carried out, as many people have had to leave their homes because of the state of their bedrooms and living-rooms? The workmanship has not been of the best standard in many instances. Will he urge the Housing Executive, when it alters the remaining flues, to ensure that proper facilities are provided while the alteration is carried out, and that compensation for the loss of furniture, carpets, curtains and facilities is paid quickly and properly?

Mr. Needham: I shall, of course, bring the hon. Gentleman's points before the chairman of the Housing Executive. I am sure he will agree that everything possible should be done to make certain that the tenants are adequately looked after while those operations are undertaken. I should say, perhaps, that the cost involved is £600 to £700. Although I realise that it is an imposition, it is still a fairly small amount of money in comparison with the value of the home.

Mr. Beggs: Will the Minister confirm that the Northern Ireland Housing Executive was responsible for the original design of the flues installed in these houses? Are thousands of houses in my constituency having flues relined because there was an inherent design fault in the original system, and are people at risk for as long as those defective flues are not repaired?

Mr. Needham: It is because the flues are defective that the Housing Executive is undertaking this programme throughout its stock—as quickly as possible. If, of course, the Housing Executive is at fault because of the design, the owners or tenants should take it up with the Housing Executive or go through the courts.

Integrated Education

2. **Mr. Matthew Taylor:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress made in the development of integrated education and the education for mutual understanding project over the past six months.

The Parliamentary Under-Secretary of State for Northern Ireland (Dr. Brian Mawhinney): Within the past six months three integrated schools have been granted maintained status and a new integrated school has been opened and provisionally registered as an independent school.

The planned education reforms in Northern Ireland will include a range of significant new measures specifically designed to encourage the development of integrated education.

On education for mutual understanding, a new guideline was published on 20 October and is being distributed to all schools. Under the education reforms, EMU will become a compulsory cross-curricular theme.

Mr. Taylor: Will the Minister outline how he supports and funds the community relations in schools programme and the provisions that he will make for the future funding and support, not only that programme, but of other reconciliation projects?

Dr. Mawhinney: The budget for promoting cross-community contact in schools in a variety of ways, including the ones to which I have referred, and in the community, has risen sharply in the past couple of years. I hope and expect that that trend will continue.

Mr. Favell: What has been the reaction of the churches to my hon. Friend's brave initiative? Do they recognise that the way to promote understanding and harmony is to bring the children of Northern Ireland together, rather than to promulgate a form of education apartheid?

Dr. Mawhinney: It is not our wish to introduce measures that will offend against the theology or conscience of anyone in the Province, but we do not believe that such a charge could be laid against the plans for integrated education—provided that that is what the parents want for their children. So far we have been encouraged by the responses of the churches to this new and significant initiative.

Mr. Kilfedder: No matter what opposition may come from the churches, and despite any stalling, will the Minister press ahead relentlessly to purge religious apartheid from the schools in Northern Ireland? I congratulate the Minister on what he has already announced, but he should not restrict himself to those measures. He should ensure that we also expunge sectarianism from the teacher training colleges in Northern Ireland.

Dr. Mawhinney: I am grateful to the hon. Gentleman for his kind words and for his many years of strong support for integrated education in the Province. I assure him that his commitment to giving parents choice through integrated education is no greater than mine. We are determined to see that option made available to all parents in Northern Ireland.

Mr. Beggs: Does the Minister acknowledge that, prior to this initiative, there was already a high level of integrated education in certain sectors in Northern Ireland? Will he undertake to publish the extent to which children were already being educated together irrespective of their religious background? Will he also acknowledge that the state schools in Northern Ireland are already available to be used as centres for integrated education?

Dr. Mawhinney: No, I do not accept that in the past there were strong integrated education facilities in the Province. Of course the hon. Gentleman is absolutely right in saying that, at a number of schools, pupils from both sides of the community are educated together, but he knows that such schools represent a small minority.

I agree with the hon. Gentleman that, in law, all schools in Northern Ireland are open to any pupil of any or no religious faith. I look to the hon. Gentleman and his colleagues for support in giving parents the choice and the right to choose, which demonstrably so many parents in the Province want.

Security

3. **Rev. William McCrea:** To ask the Secretary of State for Northern Ireland if he will make a statement on the present security in Northern Ireland.

5. **Mr. Molyneaux:** To ask the Secretary of State for Northern Ireland if he will make a statement on the security situation in Northern Ireland.

The Secretary of State for Northern Ireland (Mr. Tom King): Since I last answered questions in the House on 28 July, 38 people have been killed in incidents in Northern Ireland arising from the security situation. This includes the eight off-duty soldiers brutally murdered near Omagh. Against this background I have recently been carrying out a detailed and comprehensive review of security measures in conjunction with the Chief Constable of the Royal Ulster Constabulary and the General Officer Commanding the Army in Northern Ireland.

The security forces have shown great skill and courage in their defence of the community. The House will be aware of their successes in recent days in preventing a number of serious attacks and making a number of arrests. So far this year 308 people have been charged with serious offences, including 16 with murder. Almost 500 weapons, some 89,000 rounds of ammunition and more than 9,000 lb of explosives have been recovered. In addition the Garda Siochana has recovered 290 weapons, about 140,000 rounds of ammunition and more than 1,100 lb of explosives.

Rev. William McCrea: In the light of the Secretary of State's catalogue of atrocities in our Province, does he agree that it is far from peace, stability and reconciliation? Let us bear in mind the recent murder of a constituent of mine, Reserve Constable McCrone in county Fermanagh, and the massive find of bomb material. I congratulate the police officer who found it on his alertness, which has helped to save the Province from another onslaught by the IRA.

What extra measures will be taken to stop the onslaught of the IRA, now that we are facing the long dark winter nights and people are filled with fear about the future?

Mr. King: The hon. Gentleman knows as well as all other hon. Members from Northern Ireland the many steps that have been taken in recent months by the security forces, some of which have undoubtedly contributed to the recent successes. No one can be ignorant of the greatly enhanced activity. I told the House that we would be examining the number of measures that might be taken. The House approved one of them on Tuesday night. I have tried to help the security forces in such a way that if they bring people suspected of serious crimes to court, they will have a good chance of getting convictions. I am also concerned that the guilty should receive the proper punishment for their crimes.

Mr. Molyneaux: With regard to last night's bomb attack on women and children in the Army homes complex near Londonderry, however desirable it may be to extend the protection accorded to such targets, is that not starting at the wrong end? Should not terrorists legally be taken out of circulation, and kept out of circulation?

Mr. King: I am not sure whether the right hon. Gentleman is going further than the answer that I gave. If he is advocating selective detention, he knows that we have no plans to introduce it. But I and my right hon. Friend the Prime Minister have made it clear that we rule nothing out and keep these matters under review.

Mr. Gow: Does my right hon. Friend understand that a significant factor in the continuing insecurity in Northern Ireland is uncertainty about its constitutional future? Why does he persist in denying Members of this House, including the elected representatives of the people of Northern Ireland, the right to amend proposed legislation affecting Northern Ireland? Why does my right hon. Friend not follow the policy set out in the 1979 Conservative party manifesto and set up a regional council in Northern Ireland with widely devolved powers over local matters?

Finally, does my right hon. Friend understand that his continued assertion that Northern Ireland is part of the United Kingdom would be accepted more readily in Northern Ireland and elsewhere if we truly governed Northern Ireland like the rest of the kingdom?

Mr. King: I always respect my hon. Friend's sincerity in these matters. There is no insecurity about the position of Northern Ireland, except that caused by many people who keep talking about uncertainty. The Government's position is clear, and so is that of the House, which has voted overwhelmingly for it. There will be no change in the status of Northern Ireland as part of the United Kingdom without the agreement of a majority in Northern Ireland. I have confidence in that majority and I often wish that more people who raise this point shared my confidence in it. That view, moreover, is overwhelmingly supported by successive Irish Governments. There is no question of insecurity.

In response to my hon. Friend's second point, I hope that there will be legislation that Northern Ireland Members and hon. Members from elsewhere will have a chance to amend. Without anticipating the Queen's Speech, I suggest to my hon. Friend that he may find plenty of opportunities in the coming Session.

Mr. Stanbrook: My right hon. Friend has said that Northern Ireland is presently recognised as part of the United Kingdom. Unfortunately, the Anglo-Irish Agreement simply confirms Northern Ireland's existing constitutional status, but under Irish law the Province is part of the Irish Republic. My right hon. Friend has gained nothing from that exchange. I suggest to my right hon. Friend that if he wants to keep terrorists out of sight and out of the way during the emergency, he should institute a sentence of imprisonment for the duration of the emergency and not release any terrorists to go back on to the streets and commit terrorist crimes again.

Mr. King: I note what my hon. Friend says and will not comment further on his last point. The first part of his question makes my point absolutely. Here is a lawyer arguing and sowing in the minds of Northern Ireland people doubt and insecurity that does not exist. Everybody knows that the reality of the agreement is quite clear. There will be no change in the status of Northern Ireland without the agreement of a majority. If my hon. Friend does not know the present status of Northern Ireland, everybody else does, and its status will remain as it is unless a majority want to change it.

Mr. Winnick: Arising from the remarks of the hon. Member for Eastbourne (Mr. Gow), could the Secretary of State give us his views on whether the security and the political situation in Northern Ireland will be helped or hindered by the application from the North Down Conservative Association to affiliate to the Conservative party, since the chairman of the Conservative party is very much against such affiliation?

Mr. Speaker: Order. Hon. Members must keep to the question on security.

Mr. Winnick *rose*——

Mr. Speaker: Order. Whenever the hon. Gentleman gets up he strays from the question on the Order Paper. Please keep to it.

Mr. McNamara: I congratulate the chairman of the Conservative party and the Secretary of State on yesterday's comments. May I raise with the Secretary of State the important matter of security at married quarters, about which the hon. Member for Mid-Ulster (Rev. William McCrea) spoke? There is concern that women and children should be properly protected. It is particularly nasty that within the anniversary of what happened at Enniskillen this attack should have been considered. Can the Secretary of State give confidence to the House that the necessary security measures will be taken to protect married quarters in Northern Ireland? The Opposition support what he said about the status of Northern Ireland, but, of course, we attach a particular political significance to article 1*(c)*.

Mr. King: I am glad to see that the hon. Gentleman has signed up to articles 1(a) and 1(b). I will settle for that. Those articles in the Anglo-Irish Agreement show the reality of the situation and I see no prospect of their changing. The hon. Gentleman's first point is a serious one. The House will share my disgust at last night's attack. It is further confirmation that, for the IRA, women and children are fair game. I continue to ask myself what sort of cause can be furthered, or what credit or ambition can be built up for the future, by trampling over the bodies of women and children. I hope that the House will treat, as I do, the statements by the IRA and the attack with the contempt that they deserve. I assure the hon. Gentleman that I have already had discussions about security at married quarters and careful consideration is being given to taking the necessary security measures.

Mr. Cormack: Is my right hon. Friend aware that most people think that neither his resolve nor his sincerity should be called into question, and that doing so does no good to Northern Ireland or to the causes that we should all uphold.

Mr. King: I am grateful to my hon. Friend and second what he said.

Harland and Wolff

7. **Mr. Jim Marshall:** To ask the Secretary of State for Northern Ireland if he will make a statement on his plans to privatise Harland and Wolff, in the light of the recent breakdown of negotiations with Mr. Ravi Tikkoo.

11. **Mr. Tony Lloyd:** To ask the Secretary of State for Northern Ireland if he will consider reversing his decision to privatise Harland and Wolff, in the light of the breakdown of negotiations with Mr. Ravi Tikkoo and the implications for the company's ability to bid for military contracts of current uncertainty about its future status.

16. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland if he will make a statement on the privatisation of Harland and Wolff Ltd., Belfast.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Peter Viggers): The Government believe firmly that privatisation provides the best prospects for Harland and Wolff to achieve long-term viability and it is therefore our intention to return the company to the private sector. The breakdown in negotiations with Mr. Tikkoo was a disappointment, but discussions are continuing with other interested parties. The company chairman, John Parker, is also examining the feasibility of a management-employee buy out and this, too, will receive detailed consideration.

With regard to Ministry of Defence work, I have made it clear that a privately-owned Harland and Wolff will be free to bid for future contracts. The eligibility of the company for such work would be assessed by the Ministry of Defence in the normal way.

Mr. Marshall: I hope that the Minister will accept that Mr. Tikkoo is to be congratulated on discussing with the Government for so long the possible purchase of Harland and Wolff. However, he should remember that the only thing that Mr. Tikkoo wished to do in the first place was to have a ship built at Harland and Wolff. Why have the Government made it virtually impossible for a publicly-owned Harland and Wolff to do three things: first, to react in a positive fashion to the Tikkoo bid; secondly, to tender for Ministry of Defence work; and, thirdly, to react to the ban on the proposed building of the £8 million dredger, put forward by the south coast shipping company. Surely even the Minister recognises that a publicly-owned company which obtained at least two of the three orders would be far more attractive to the private sector than Harland and Wolff is at present.

Mr. Viggers: We gave every possible support to Mr. Tikkoo in his approach to build the Ultimate Dream cruiseliner and to acquire the yard. That was the basis on which he was content to negotiate. I ask the hon. Gentleman not to sell short the Government's efforts. The Government are in close negotiation with prospective purchasers of Harland and Wolff. It is an integral part of our discussions that substantial orders will be placed with the yard forthwith. If successful, the negotiations will secure the future of the yard and its order book for many years. That is the goal towards which Ministers are working.

Mr. Lloyd: The Minister has avoided the question of Ministry of Defence contracts. Will he tell the House why Harland and Wolff was prevented by his Department from tendering for the Ministry of Defence contract for the aviation support ship? Will he put it clearly on the record whether it was his Department that prevented Harland and Wolff from taking part in that process? Will Harland and Wolff be allowed to tender for Ministry of Defence work while it is still in the public sector?

Mr. Viggers: I have made it clear that it is obviously not sensible at this critical stage to proceed with other prospective ship orders, as they could be inconsistent with the shipbuilding plans of a new owner.

I confirm that Harland and Wolff, in the private sector, will, of course, be free to tender for Ministry of Defence orders and full intervention aid support will be available.

Mr. Beggs: How many customers have been put off and how many potential orders has Harland and Wolff not been permitted to tender for because of this mailed fist, or even blackmail, policy that has been used to push through privatisation? Does the Minister recognise that, unless Harland and Wolff accepts some orders soon, thousands of men will be out of work and it will be impossible to find a new owner or work for those presently employed in Belfast?

Mr. Viggers: I recognise that hon. Members are in some difficulty because they cannot be privy to the confidential discussions of Government, but the hon. Gentleman should not sell short the efforts of the Government and of the yard. I have had preliminary discussions today with another substantial company which has expressed interest in the future of the yard.

Mr. Peter Robinson: When the Minister told *The Guardian* last week that he was fighting hard for Harland and Wolff, was he referring to its being closed out of the initial consultations regarding the aviation support ship? Was he referring to the refusal to give Harland and Wolff the contract for the Ultimate Dream, unless it was in the private sector, or to the scandal, which was announced yesterday, of the Minister turning down a further order of a dredger from Harland and Wolff, simply because it was not yet in the private sector? Will he please attempt to make my constituents understand how Harland and Wolff would be less attractive for privatisation if it had a full order book?

Mr. Viggers: It is well known in Northern Ireland that my right hon. Friend fought long and hard to win the AOR order for Harland and Wolff. I would ask the hon. Gentleman where he was when the discussions were taking place. My right hon. Friend has not changed in his determination to do everything possible to secure the future of the yard.

Mr. Brazier: Does my hon. Friend accept that many of us—not all on this side of the House—very much wish the best for Harland and Wolff, but nevertheless feel that it has had every bit the upper end of the playing field in the various competitions for military vessels? We wish Harland and Wolff good fortune, but at the same time we must be fair to British yards this side of the water. There is a limit to how much we can listen to complaints on this issue.

Mr. Viggers: The Government have supported Harland and Wolff to the tune of £260 million in the past five years alone. That demonstrates their determination to support the yard. We are now convinced that the future of the yard lies not in the public sector but in the private sector, and we are determined to do our best to achieve that transition.

Mr. Ashdown: The Minister has not explained to the House why he believes that Harland and Wolff would be more attractive with empty order books than with full ones. Is it not the case that Harland and Wolff was excluded from the early stages of the MOD contracts for the AOR vessels? Why does he now seek to ensure that Harland and Wolff will not win that £8 million order and the yard will be sacrificed on the Government's mad ideology on privatisation?

Mr. Viggers: The hon. Gentleman is confusing the AOR with the ASS and the ASS with the dredger order. I

have answered the question. A prospective acquirer of the yard may well bring to the yard orders which would be inconsistent with other MOD or external orders.

GOC (Meetings)

8. **Mr. Mallon:** To ask the Secretary of State for Northern Ireland when he last met the Army GOC in Northern Ireland; and if he will make a statement about their discussions.

Mr. Tom King: I last met the GOC on Monday 7 November, together with the Chief Constable of the Royal Ulster Constabulary, to discuss certain aspects of the security situation. The substance must, of course, be confidential.

Mr. Mallon: Will the Secretary of State confirm that, in the border brigade area, primacy of operational decision has passed, or been taken, from the police and given to the Army? Does he agree that that is a sinister and fundamental change of policy that has been forced upon him as Secretary of State and on the Chief Constable of the RUC by the faceless military people who are now the de facto rulers in Northern Ireland?

Mr. King: If they are, they have not told me. The hon. Gentleman's ingenious question deviates considerably from the real situation. There is no change in the position on police primacy. The Chief Constable has responsibility for operational matters and the Army works in support of the civil power, but in certain respects in the border brigade, and in operations against terrorism, the Chief Constable has delegated certain operational responsibilities and authority to the Army. The Army acts under his authority. That is the position. It is quite clear, it has my full support, and I, the Chief Constable and the GOC keep it under close review.

Mr. Marlow: Is it not the case that since three terrorists met a well-merited death at the hands of the security forces the level of violence and terrorist activity has reduced in the Province? Is this a coincidence, or does my right hon. Friend make some deductions from it?

Mr. King: In terms of attempted terrorist incidents, that is not actually correct. However, I draw the attention of the House to the great energy and determination of the security forces. While there is a constant threat of attack, undoubtedly there have been a number of recent successes. A number of arrests have been made and the security forces certainly deserve every congratulation for that.

Mr. Maginnis: When the Secretary of State talks to the GOC, does he recollect that each time he comes to the House to report on the security situation in Northern Ireland he produces a long and sad catalogue of deaths? He also produces a never-ending catalogue of arms and explosives found. Will he remind the GOC that if we could have continuity of frontier operations we would have a much greater chance of reducing the easy flow of arms and explosives from the Irish Republic into Northern Ireland? Since 92 per cent. of IRA murders are unresolved through the courts, does the right hon. Gentleman discuss with the GOC the need to dismantle the command and control structures of the IRA? Will he ask officers further down the line what they feel as they have to go out, week after week, sacrificing life and limb to try to uphold the status quo with the limited resources made available to them by the Secretary of State?

Mr. King: The answer that I gave to the hon. Member for Mid-Ulster (Rev. William McCrea) sought to explain certain ways in which I am seeking to ensure that the security forces receive the support they deserve in the important and dangerous work they do. I am seeking ways in which some of the objectives defined by the hon. Gentleman can be achieved. I am anxious to improve cross-border co-operation and make more effective the work of the Garda Siochana and the Irish Army working in support of it. Those are some measures that can help. I take seriously the hon. Gentleman's point about the need to ensure that the security forces receive all the backing we can provide in the circumstances in which they operate.

Rev. Ian Paisley: Will the right hon. Gentleman take it from me that the statement issued a few days ago concerning the Loughgall incident was widely welcomed by all right-thinking people in Northern Ireland, who are glad that those responsible for dealing with the IRA effectively will not be brought before the courts? Will he take it from me also that there is also a desire among all right-thinking people that any innocent person who happens to be in the wrong place at the wrong time should receive compensation as promptly as possible?

Mr. King: Obviously, deaths of or injuries to any innocent people are deeply regretted. I do not think that there is any serious argument about the purpose of the terrorists killed in that attack. It was a miracle that there were no serious casualties among the security forces. We are often attacked by people who say that the procedures do not properly scrutinise the rule of law and the pursuit of the rule of law. It is worth remembering, as the hon. Gentleman knows, that what I reported on that occasion was the outcome of the scrutiny procedure. Every time a death is suffered by the security forces it is subject to close scrutiny and is the subject of a report to the Director of Public Prosecutions. That shows how we seek at all times to ensure that the rule of law is upheld.

Orders in Council

9. **Mr. Madden:** To ask the Secretary of State for Northern Ireland if he will make a statement on the relationship between the drafts of the Police and Criminal Evidence Order 1988 and the Criminal Evidence Order 1988.

The Minister of State, Northern Ireland Office (Mr. Ian Stewart): The draft Police and Criminal Evidence Order substantially overhauls and rationalises the general criminal law in Northern Ireland and reflects provisions enacted for England and Wales in the Police and Criminal Evidence Act 1984. The separate Criminal Evidence (Northern Ireland) Order, which was debated and approved by the House on Tuesday, allows courts to draw an inference from the silence of the accused in certain circumstances.

Mr. Madden: Does the Minister not believe that the Criminal Evidence (Northern Ireland) Order seriously weakens the limited rights of the individual given in the proposed Police and Criminal Evidence Order? Does he not believe that the ability to detain suspects for 48 hours

without the right to legal advice, the requirement not to supply official statements to suspects before they enter police stations and the absence of any requirement to tape record interviews with suspects will undermine the credibility of the police and the judiciary in Northern Ireland?

Mr. Stewart: I do not believe that that is the case. The hon. Gentleman has referred to a number of aspects of the draft Police and Criminal Evidence Order, which, as he will know, has been out for consultation. We are currently considering the results of the responses that we have received. I do not believe that the Criminal Evidence (Northern Ireland) Order is a diminution of rights. It makes it more likely that justice will be seen to be done. I do not think that the innocent have anything to fear from it. It will lead to a better system of justice in the Province, which is what we should all want.

Health and Social Services

10. **Mr. Andrew Smith:** To ask the Secretary of State for Northern Ireland if he intends to increase funding on health and social services in Northern Ireland; and if he will make a statement.

Mr. Needham: The hon. Member wil be aware that new public expenditure plans announced by my right hon. Friend the Chancellor of the Exchequer in the Autumn Statement included revised figures for the total of Northern Ireland public expenditure. My right hon. Friend the Secretary of State is considering how the totals announced should be allocated to functional programmes and he will make an announcement shortly.

Mr. Smith: I thank the Minister for his reply and take this opportunity to congratulate those working voluntarily and professionally in health and social services in Northern Ireland. On the recent Select Committee visit to Northern Ireland we saw the work that they are doing. They are dedicated to their jobs, which they often do under very difficult circumstances. Does the Minister welcome the degree of multi-party agreement shown by the call from representatives of the Ulster Unionists, SDLP and the alliance for the maintenance of per capita expenditure on health in Northern Ireland? How will the democratically elected representatives of the people of Northern Ireland be involved in the allocation of the money that the Secretary of State will be announcing? Will the Government grasp this opportunity of building bridges between the communities in Northern Ireland by responding positively to that call?

Mr. Needham: I thank the hon. Gentleman for his comments about the visit he paid to Northern Ireland, which we welcomed. We have a successful Health Service in Northern Ireland, on which we spend approximately 24 per cent. more per head than in the remainder of the United Kingdom. In the Autumn Statement my right hon. Friend the Chancellor mentioned a 4·5 per cent. increase in real growth, which will apply also in Northern Ireland. It would be easy to involve politicians in any process in Northern Ireland if they were prepared to become involved and to begin discussing the way forward with the Government.

Mr. Bellingham: I welcome what the Minister said about per capita expenditure in Northern Ireland being 24 per cent. more than on the mainland, but does that not illustrate that even if we spent another £5 billion or £6 billion on the Health Service here some would still say that it was not enough?

Mr. Needham: I am sure that my hon. Friend is right. The difference in expenditure between Northern Ireland and the rest of the country arises entirely from the difference in need.

Anglo-Irish Agreement

12. **Mrs. Clwyd:** To ask the Secretary of State for Northern Ireland if he will make a statement on the scheduled review of the Anglo-Irish Agreement.

Mr. Tom King: The review of the working of the Intergovernmental Conference, prescribed by article 11 of the agreement, will begin three years after the agreement was signed on 15 November. I remain anxious to have all views that hon. Members and others may wish to put forward.

Mrs. Clwyd: When will the Government take a more constructive approach to the agreement by pursuing the wide range of reforms that are necessary? When will they implement article 10 of the agreement, which commits the Irish and British Governments to co-operating to promote the economic and social development of both parts of Ireland?

Mr. King: The table of progress, which I hope we shall publish shortly, will bring home how much progress has been made in the search for confidence in the administration of justice and some of the economic and social sectors. We have laid the foundations for co-operation, which could be valuable to people on both sides of the border.

Mr. Dykes: Will my right hon. Friend confirm that, despite enormous difficulties and some reckless sabotage attempts from certain quarters, the agreement has been a great success? Will he reaffirm the Government's determination not only to continue this important agreement but to strengthen it?

Mr. King: The agreement has considerable potential benefits for people throughout the island of Ireland, both in the Republic of Ireland and Northern Ireland. This is not a matter—we are dealing with ancient hostilities and mistrusts that exist in the island of Ireland—in which immediate success can be achieved. The agreement provides an opportunity for close co-operation and, if handled sensibly, it could be of great benefit.

Mr. McNamara: Is the Secretary of State aware that we welcome his invitation to put forward our ideas on the Anglo-Irish Agreement and hope that all parties in the House and in Northern Ireland will take advantage of that? Would there not be an advantage in forthcoming years in having a regular calendar of meetings, with open agendas, at which parties throughout the country could make representations, with a full report-back afterwards, thus avoiding accusations of secrecy?

Mr. King: I am glad to hear that the hon. Gentleman will be putting forward views, no doubt on behalf of his right hon. and hon. Friends, and I have no doubt also that those very genuine and sensible points will be included.

Less-favoured Areas

13. **Mr. McGrady:** To ask the Secretary of State for Northern Ireland why the recommendations in respect of the redesignation of the less-favoured areas in Northern Ireland has not been presented to the European Commission; and if he will make a statement.

Mr. Viggers: All the very detailed information needed to support a request to the Commission of the European Community for an extension of the less-favoured areas in all the United Kingdom regions has now been assembled. This means that we are in sight of being able to put a request to the Commission, but the request will be subject to detailed examination by the Commission. This might take some time and we cannot be certain of a favourable decision.

Mr. McGrady: Is the Minister aware that the inordinate delay in processing the extension of the less-favoured areas affects 4,600 farmers in Northern Ireland who cannot avail themselves of grant under the agricultural development programme? Will the hon. Gentleman do his utmost to expedite the claim in Brussels for an extension?

Mr. Viggers: The matter is being considered in the context of the United Kingdom as a whole. As the hon. Gentleman points out, 4,600 requests have been made from Northern Ireland alone. The number has also been very substantial throughout the United Kingdom. The hon. Gentleman has been assiduous in pursuing the matter, and I asssure him that the Government are equally assiduous in pursuing it.

PRIME MINISTER

Engagements

Q1. **Mr. Maclennan:** To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meeetings later today.

Mr. Maclennan: In considering the responses to the Government's proposals on student loans, will the Prime Minister acknowledge that the purpose of Government support for students should be to increase substantially the number of people in higher education in this country? As the proposals announced are based on a projection that there will be no increase in student numbers by 1996, will that not lay this country open to dangerous competition from other, better-educated industrialised democracies?

The Prime Minister: The system of student grants and now of top-up loans is one of the most generous in the whole world, I am sure that most people appreciate that. Increasing numbers, and an increasing proportion of students, are going into higher education. I am sure that the hon. Gentleman will welcome that. One of the purposes of yesterday's announcement is to help people who at present cannot go to university to take top-up loans so that they can take up places which might not otherwise be available to them.

Q2. **Mr. Thurnham:** To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Thurnham: In congratulating President-elect George Bush on his victory, will my right hon. Friend thank him for the part that America has played in helping to ensure a record 43 years of peace in Europe? Will she offer him her continued staunch support for the future strength of the Alliance?

The Prime Minister: I gladly join my hon. Friend and most hon. Members in congratulating Vice-President George Bush on his splendid victory, which was a personal triumph for him. I also take the opportunity to thank the United States for being such a staunch ally in NATO and stationing some 330,000 troops in Europe. I hope that that contribution will continue, but I am the first to agree that Europe must be prepared to take a full part of the burden of the defence of Europe and to point out that this country does just that, as can be seen from the recent Autumn Statement.

Mr. Kinnock: Will the Prime Minister tell us why members of the Cabinet are afraid to debate the conduct and plans of the Chancellor of the Exchequer? What do they have to hide?

The Prime Minister: There is no question of being afraid to debate it. Indeed, I have noticed that on the 17 days this year when the Opposition could have chosen to debate economics they chose to do so on only two, so they cannot relish facing my right hon. Friend the Chancellor of the Exchequer very much.

Mr. Kinnock: It must be obvious, even to the Prime Minister, that the Chancellor has woven a tangled web around himself. Why will she not give him an opportunity to clear his name in the House?

The Prime Minister: My right hon. Friend the Chancellor has built the best economy that this country has ever known, and everyone in the House has done very well out of it.

Mr. Kinnock: Perhaps the Prime Minister will now tell us whether she agrees with the Chancellor that only "a tiny minority" of pensioners have problems in making ends meet.

The Prime Minister: The simple fact is that only 18 per cent. of pensioners are on income support. That is quite clearly a minority.

Sir George Young: Will my right hon. Friend confirm that one thing at least is now clear following the Chancellor's briefing of the press last Friday—that the Government are considering additional ways to help the less well-off pensioner?

The Prime Minister: Yes, that is absolutely correct.

Q3. **Mr. David Marshall:** To ask the Prime Minster if she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Marshall: Will the Prime Minister please explain to the House why, in most parts of Scotland, she is regarded as public enemy No. 1?

The Prime Minister: If I might say so, Scotland has done very well by the policies that I have had the privilege to implement.

Mr. Ralph Howell: As every Labour Government have operated a means test for all our citizens, is not the Leader of the Opposition talking total humbug——

Mr. Speaker: Order. The hon. Gentleman must ask questions of the Prime Minister, not the Leader of the Opposition.

Mr. Howell: Will my right hon. Friend give urgent consideration to producing one form from which a decision can be made on whether tax should be paid or benefits given to top-up inadequate income?

The Prime Minister: I would not be in favour of such a system, as it would lead to endless complexity. However, my hon. Friend is right to remind the House that the National Assistance Act started in 1948, having been introduced by a Labour Government, who followed it throughout all their time in Government. It is for means-tested benefits in addition to the fundamental basic state pension.

Q4. **Mr. Cohen:** To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Cohen: What advice has the Prime Minister for President-elect Bush about tackling the US debt problem? Could it not spark off a serious international economic crisis? Would not one way to help be to spend less, not more, on armaments? Will the Prime Minister advise following that policy and not beat around the bush?

The Prime Minister: In considering the budget deficit as a proportion of gross domestic product, I can only say that the American deficit is very much smaller than that which Labour had in this country during its time in office.

Q5. **Mr. Patnick:** To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Patnick: Does my right hon. Friend agree that the way to keep hooligans out of football grounds is through a national membership scheme? Will she call upon all football clubs to introduce and implement such a scheme as soon as possible?

The Prime Minister: Yes. As my hon. Friend is aware, the Minister with responsibility for sport introduced a report yesterday. It is right to have national identity cards for those who attend football matches——

Mr. Home Robertson: In England.

The Prime Minister: Yes, in England. We do not expect it to apply to Scotland.

We are anxious, as are most people, that families return to watching football as a recreation and a family outing. We believe that that is the way to separate hooliganism from football.

Mr. Corbett: Has the Prime Minister seen today's reported remarks of the Secretary of State for Health, accusing nurses at Birmingham children's hospital of not doing the work for which they are paid? Will she share my offence at such remarks and ask the Secretary of State to withdraw them, on the grounds that those nurses are dedicated and professional, are doing their job in difficult circumstances, and are doing exactly what they are paid for? Does she agree that the argument is about their grading?

The Prime Minister: I have not seen any such remarks by my right hon. and learned Friend. As the hon. Gentleman is aware, the structure of the grading was agreed between management and nurses, and the regions have applied it to about 440,000 nurses. For that purpose, an extra amount has been given by the taxpayer, such that the total extra amount is about £928 million. If any nurse is aggrieved by her grading, she can go to appeal under procedures agreed by management and unions.

Q6. **Mr. Hanley:** To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Hanley: My right hon. Friend will have noticed that it was announced yesterday that last year British companies, both large and small, gave over £1 billion to charity. Does that endorse her vision of a giving society and show that, if they are allowed greater control over a larger proportion of their money, people give wisely and generously?

The Prime Minister: Yes. Both companies and individuals are giving very generously, and much more generously than they were able to give several years ago. One should like to thank companies not only for giving to charities but for the excellent work they are doing in inner cities and for the way in which many of them are taking a much greater interest in local schools, thus giving children a far greater interest in the future and a far greater prospect of obtaining the right jobs.

Q8. **Mr. Hoyle:** To ask the Prime Minister is she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Hoyle: Why is the Prime Minister in favour of sanctions on trade with Poland but not in favour of sanctions on trade with South Africa? Is her advice to the black people of South Africa that they should live in Poland?

The Prime Minister: As the hon. Gentleman is aware, there are certain sanctions on South Africa, which are operated through the United Nations and which we honour, and there are other certain small sanctions which we have agreed through the Commonwealth, which we also honour. My purpose is to ensure that we do everything that we can to help Poland come to an agreement with the International Monetary Fund as to

how best to conduct her industrial and financial affairs in future. We in this country will be the first to help to reschedule Poland's debts and to give extra help—*[Interruption.]* The hon. Gentleman might not like the long answer, but he does not like listening to sense.

Mr. Wells: I am aware that the whole House will want to congratulate my right hon. Friend on digging her way through the rocks and quicksands that confronted her on her recent visit to Poland. Has her visit made it more possible for Polish people to choose a freer and better way of life?

The Prime Minister: I made it quite clear that I was grateful to General Jaruzelski for ensuring that I was able to go wheresoever I chose in Poland to see whomsoever I chose to see, to have discussions and talks, not only with Solidarity, but with many independent people, who were able to put their views to me. I was extremely grateful for that. One problem with Solidarity is that there is no other expression of opposition on an organised basis in Poland. Things will be much better when there is a visible focus for people to make their own views known, which will be of great value to the Government. The round table is perhaps the first attempt to try to secure such a forum.

Q9. **Mr. Fatchett:** To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Fatchett: As the Prime Minister of Westland, does the Prime Minister feel that she is the best person to judge the integrity of the Chancellor?

The Prime Minister: As the hon. Gentleman is aware, Westland's future was determined by its commercial future. That was absolutely the right decision. We have one of the best Chancellors that this country has ever had.

Sir Anthony Meyer: As my right hon. Friend was unable to be in Paris yesterday to pay tribute to the memory of Monsieur Jean Monnet, will she take this opportunity to pay her tribute to the man of vision for his contributions to both the unity of Europe and the allied victory in the last war?

The Prime Minister: Yes, I gladly pay tribute to Jean Monnet. I understand that there was a very moving ceremony yesterday in Paris. We were not able to go from here because, as my hon. Friend is aware, we had a state visit in this country.

Business of the House

3.30 pm

Mr. Frank Dobson (Holborn and St. Pancras): Will the Leader of the House tell us the business of the House for tomorrow and next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): It may be for the convenience of the House if I announce the rearranged business for tomorrow at the same time as the business for next week:

FRIDAY 11 NOVEMBER—Timetable motion on the School Boards (Scotland) Bill and the Housing Bill, followed by consideration of Lords amendments to the School Boards (Scotland) Bill and conclusion of consideration of Lords amendments to the Housing Bill.

MONDAY 14 NOVEMBER—Remaining stages of the Road Traffic Bill *[Lords]*, the Road Traffic (Consequential Provisions) Bill *[Lords]* and the Road Traffic Offenders Bill *[Lords]*, which are consolidation measures.

Afterwards there will be debates on motions to take note of EC documents on:

—safety in the workplace and personal protective equipment;

—on risks to workers from biological agents, the control of genetically modified organisms and the regulation of biotechnology;

—on tar yields of cigarettes and the labelling of tobacco products;

—on waste from the titanium dioxide industry; and

—on dimensions of articulated vehicles.

Details of the EC documents concerned will be given in the *Official Report*.

TUESDAY 15 NOVEMBER—Subject to progress of business it will be proposed that the House will meet for prorogation at 9.30 am.

Mr. Speaker, the House may be asked to consider any Lords messages and other business as necessary.

The new Session will be opened on Tuesday 15 November.

[Monday 14 November 1988 (5 separate debates):

Relevant European Community Documents (a) 5211/88 Health and safety in the workplace (b) 5762/88 Personal protective equipment (c) 5836/88 Risks to workers from exposure to biological agents (d) 6397/88 Control of biotechnology (e) 10399/86 Community Regulation of biotechnology (f) 9444/87 Biotechnology Research (g) 4192/88 Labelling of tobacco products (h) 4193/88 Control of maximum tar yield of cigarettes (i) 6387/83 Titanium dioxide industry wastes (j) 7733/84 Titanium dioxide waste pollution (k) 6882/88 Dimensions of articulated vehicles.

Relevant Reports of European Legislation Committee (a) HC 43-xxiv (1987-88) paragraph 3 (b) HC 43-xxxiv (1987-88) paragraph 2 (c) HC 43-xxx (1987-88) paragraph 2 (d) HC 43-xxxii (1987-88) paragraph 3 and HC 43-xxxix (1987-88) paragraph 3 (e) HC 22-vii (1987-88) paragraph 7 (f) HC 43-xii (1987-88) paragraph 3 (g) HC 43-xix (1987-88) paragraph 1 and HC 43-xxxix paragraph 1 (h) HC 43-xix (1987-88) paragraph 2 (i) HC 78-viii (1983-84) paragraph 6 (j) HC 78-xxxiv (1983-84) paragraph 3, HC 43-xxxiv (1987-88) paragraph 1 and HC 43-xxxv (1987-88) paragraph 1 (k) HC 43-xxxiv (1987-88) paragraph 3.]

Mr. Dobson: It would probably be kinder not to comment on the business shambles proposed for tomorrow—*[Interruption.]*—but as the Chancellor of the Exchequer is apparently prepared to defend himself on television and radio and to give partial information to newspapers about what he did or did not say last Friday, why have the Cabinet refused to provide time to debate the motion criticising the Chancellor which has been tabled in the names of my right hon. Friend the Leader of the Opposition and others? Is it that the Chancellor is afraid to come and face the music, or are the rest of the Cabinet afraid what he might let slip when trying to defend what he said he did not say? It is not unusual for the Opposition to call for a vote of no confidence in a Chancellor, but it is a rare event for a Cabinet to pass one, yet that is what we have seen today.

Will the Leader of the House therefore reconsider his decision, or try to get his Cabinet colleagues to reconsider their decision, so that we can debate this important motion, because this matter will not go away? Whatever happens before the Queen's Speech, this issue will not be allowed to rest by us. We believe that the Leader of the House owes it to the Chancellor, to the pensioners who are perturbed about the threat of means testing and to the journalists involved, whose integrity has been thrown into question by the Chancellor, to have that debate, and to have it soon.

Mr. Wakeham: The Chancellor of the Exchequer has answered a private notice question in the House and spoken about events outside the House, but I have considered the early-day motion in the name of the Leader of the Opposition. As Leader of the House I must have regard for the views of the whole House. The business that I have announced for Monday is important, and many hon. Members have an interest in it. If the Opposition wish to pursue the question of a debate on their early-day motion, there will be opportunities in the new Session for them to do so.

I do not accept for a moment what the hon. Gentleman said about the guillotine motion or the Government's legislative programme. As Leader of the House I have to take into account the views of all hon. Members, and it was clear last night that the arrangements between the Government and the official Opposition for dealing with the Housing Bill were not acceptable to the House as a whole. In those circumstances, I was doubtful whether the proposal to take the School Boards (Scotland) Bill would be generally acceptable. That is why I have arranged for the House to have an opportunity tomorrow to debate and reach a final decision on the future handling of both those Bills.

What the hon. Gentleman said about the Government's legislative programme is complete nonsense. Thirty-four pieces of Government legislation have already received Royal Assent this Session and another two have completed all their stages. The fact is that this Government have succeeded far better than the Labour Government ever did in bringing to completion an extensive and popular legislative programme, and Opposition Members do not like it.

Mr. Michael Jopling (Westmorland and Lonsdale): When my right hon. Friend moves the timetable motion tomorrow and listens to the synthetic indignation from the Opposition, will he take care to remind the House that he

has never yet come within sight of breaking the record of the right hon. Member for Blaenau Gwent (Mr. Foot), who as Leader of the House moved five guillotine motions in one day?

Mr. Wakeham: My right hon. Friend is right. There have been many worse occasions than what will happen tomorrow. I regret that we have to debate a guillotine motion on a Friday, but we have the record of the right hon. Member for Blaenau Gwent (Mr. Foot) as a precedent, which we hope never to repeat.

Mr. Stanley Orme (Salford, East): Is the Leader of the House aware that many people consider that the Chancellor of the Exchequer misled the House by his statement last week? The only way to clear up that matter is by a debate in this House. Why have the Government shirked such a debate on Monday?

Mr. Wakeham: I have already dealt with that in answer to the right hon. Gentleman's hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). I am acting entirely in accordance with precedent.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will my right hon. Friend confirm the remarks of the Secretary of State for Northern Ireland, reported in *The Independent* today, that the only test of a Conservative is whether he supports the Anglo-Irish Agreement? If, as a result of our right hon. Friend's suggestion to the national union, the North Down Conservative Association is not allowed to join the national union, will my right hon. Friend confirm—for the Government are well known for their consistency—that he will recommend that all Conservative associations which do not support the Anglo-Irish Agreement are expelled and, what is more, that all Conservative Members of Parliament who do not support the Anglo-Irish Agreement have the Whip withdrawn?

Mr. Wakeham: My hon. Friend tempts me, but I shall restrict my remarks to Government business. The overwhelming bulk of hon. Members on both sides of the House believe that the Anglo-Irish Agreement is a worthwhile initiative and should produce substantial benefits to the people of Ireland, both in the North and in the Republic. I have long since learnt not to talk about Whipping matters, and I do not believe that it is appropriate for me to make any comment about the Conservative party from the Dispatch Box.

Mr. Michael Foot (Blaenau Gwent): As the matter of previous guillotines has been raised, may I make a proposition to the Leader of the House which may help him out of some of his difficulties, although, particularly with a majority of well over 100, I have never seen such a legislative shambles as that which he presides over? May I make him a fair bargain to settle the matter once and for all? If I agree to a debate on the merits of my five guillotine motions in the next two or three days, will the right hon. Gentleman agree to find time to debate our motion on the Chancellor of the Exchequer? Let us have debates on both matters. Or is the right hon. Gentleman really going to run away from the challenge of a debate about the performance of the Chancellor of the Exchequer in the House a few days ago?

Mr. Wakeham: Perhaps I was a little unfair to the hon. Member for Blaenau Gwent, and that caused him to rise to his feet. I should have explained to the House that the reason why he was forced to table five guillotine motions on one day was that there was no other way in which he could have got his business through the House by the necessary date.

Mr. Teddy Taylor (Southend, East): As *Hansard* revealed on Tuesday, the EEC management committee, on which the Government are represented, is now selling substantial quantities of butter at 2½p per pound, compared with £1 a pound in this country. Will my right hon. Friend try to allow some time for us to discuss the implications for the British taxpayer and consumer of those developments? Will my right hon.Friend bear in mind that the EEC is spending more money every three days on the dumping and destruction of food than the yearly amount that will be received from the charges for sight tests and dental tests?

Mr. Wakeham: I recognise my hon. Friend's concern about these matters. Debates on the European Community and its various activities are important, and I have announced a number of such debates for next week. I shall bear in mind what my hon. Friend has said, in the hope that there will be a more general debate in the not too distant future.

Mr. David Alton (Liverpool, Mossley Hill): Has the Leader of the House had a chance to consider reports in the press in the past two days that the emission of radio nuclides into the atmosphere over the weekend 28-29 October in the Greater Liverpool and Greater Manchester areas was the equivalent of three to nine times higher than the normal levels of background radiation? Does he agree that that justifies a Minister coming to the House to explain what led to those levels and why the local authorities were not notified of what had happened?

Mr. Wakeham I have to tell the hon. Gentleman that the Department has not been notified of any release of radioactive material within the United Kingdom or of any overseas nuclear incident. I shall refer the hon. Gentleman's request to my right hon. Friend the Secretary of State for the Environment.

Mr. James Kilfedder (North Down): Next Tuesday is the anniversary of the signing of the Anglo-Irish Agreement, which the majority of people in Northern Ireland regard as a great betrayal because their elected representatives were not consulted, although the elected representatives of the minority were consulted. May we have a debate next Tuesday so that the Government can put forward evidence to show that the agreement has achieved its aims of peace and reconciliation? As the Member of Parliament for North Down, a constituency that has been mentioned in the House, may I say that I do not mind what candidates come forward against me in the next election?

Mr. Wakeham: I am glad to hear that my hon. Friend is as confident as ever.

I cannot arrange a debate next week on Northern Ireland, although I recognise that there is a demand for a debate in the House on that subject. The appropriate time to have such a debate is a matter for discussion. I shall bear my hon. Friend's suggestion in mind.

Mr. Andrew F. Bennett (Denton and Reddish): The Leader of the House will recall that there has been growing

[Mr. Andrew F. Bennett]

disquiet about private business. He will also recall that the Joint Committee on Private Bill Procedure, which was set up by this House and the House of Lords, has produced an excellent report. Will the Leader of the House give us some idea of how soon that report will be discussed in the House and an opportunity provided for us to vote on it? On Tuesday there were once again illustrations of the unsatisfactory problems of private business, and there may be problems again tonight.

Mr. Wakeham: I know that the hon. Gentleman takes a great interest in these matters and has great knowledge of them. I pay tribute to my hon. Friend the Member for New Forest (Mr. McNair-Wilson) and to the other members of the Committee, who have produced a valuable report. Private business is a complex subject, in which there are many aspects to be addressed. I appreciate the considerable interest of hon. Members and I hope that, unusually, it will be possible to arrange a debate before the Government have responded to the Committee's recommendations in the normal way, so that we can hear the views of the House.

Mr. Roger Sims (Chislehurst): The European Community documents that we shall be discussing on Monday cover several different subjects. Is it proposed that we should have an umbrella debate on all of them, or a separate debate on each? If the latter, will the debates be timed to ensure that each subject is adequately discussed?

Mr. Wakeham: As a result of representations that we have received, we have decided to proceed in the normal fashion. The debates will follow one after the other and the normal Standing Orders of the House will apply.

Mr. Jack Ashley (Stoke-on-Trent, South): Is the Leader of the House aware that many people were interested in the reports of eminent journalists last weekend and that, as a consequence, they now want a straight answer to a simple question? Will old-age pensioners be guaranteed free prescriptions while the Government are in office? Can the Leader of the House give us that guarantee, or a debate on the subject?

Mr. Wakeham: I am afraid that I was not present at that party. I have nothing to add to anything that my right hon. Friend the Chancellor or my right hon. Friend the Prime Minister have said on the subject.

Sir Nicholas Fairbairn (Perth and Kinross): Will my right hon. Friend note that important Scottish legislation, which the Scottish people are anxious should reach the statute book—the School Boards (Scotland) Bill—has once again been threatened and compromised by the activities of Left-wing London Members? Will he view with extreme scepticism any request by the Opposition for the establishment of a Select Committee on Scottish Affairs, in which they have no interest, given that the Scottish Office has given evidence to Select Committees of the House on 23 occasions?

Mr. Wakeham: I know that my hon. and learned Friend takes a great deal of interest in the Select Committee on Scottish Affairs. I have indicated that we shall arrange a debate to discuss the matter, and I have nothing further to add until that debate.

Mr. John Home Robertson (East Lothian): Has the Leader of the House looked at the outstanding Lords amendments to the deeply resented School Boards (Scotland) Bill? Will he confirm that this is the first time in history that a Government have moved a guillotine motion on a handful of minor and technical amendments? Is it a sign of panic?

Mr. Wakeham: No. I know that the Opposition suggested that they would like the amendments to be taken formally, and I shall certainly take that into account when drawing up the timetable motion. I hope that it will be possible to arrange matters so that if the House does not wish to spend the time provided on the School Boards (Scotland) Bill, additional time can be spent on the Housing Bill, if that is what the House wishes.

Mr. Phillip Oppenheim (Amber Valley): Can my right hon. Friend confirm that this week's business, as originally announced, was agreed through the usual channels? Does he know what went wrong with the Opposition last night?

Mr. Wakeham: If anything went wrong last night, I do not suppose that the Opposition would tell me about it. I do not think that discussions through the usual channels are best ventilated on the Floor of the House. We do our best.

Mr. Charles Kennedy (Ross, Cromarty and Skye): The Leader of the House has said umpteen times during business questions that he hopes to have a debate on the Select Committee on Scottish Affairs by the end of the Session. We have reached the end of the Session, and we are not to have a debate. The continuing lack of discussion of the absence of a Select Committee on Scottish Affairs is nothing short of an insult to Scottish politics. When in the next Session does the right hon. Gentleman propose to have a debate?

Mr. Wakeham: I do not think that I said quite what the hon. Gentleman suggests. I said that I had put certain proposals to the Opposition which were unfortunately unacceptable to them. If those proposals had been accepted, the Select Committee could have been set up a long time ago. I regret that that did not happen. I have said that we shall organise a debate, and the timing of that debate is best discussed through the usual channels. I had hoped to arrange it before now, but there has been substantial pressure on business, and I regret that it will now not be possible to have a debate before the end of this Session.

Mr. Richard Holt (Langbaurgh): My right hon. Friend will recall that throughout this Session one matter has dominated press reports—the Cleveland child sex abuse issue which has not been debated in the Chamber. It is remiss of both the Government and the Opposition to fail to find time to debate the matter. Will my right hon. Friend give the need for such a debate urgent consideration in the new Session?

Mr. Wakeham: My hon. Friend has been very forthright in expressing his views and calling for a debate. I am sorry that I have not been able to arrange one, and I hope that we will be able to make some progress in the new Session.

Ms. Dawn Primarolo (Bristol, South): Will the Leader of the House arrange for an emergency debate on Monday

on the Hinkley Point C inquiry? The inquiry is proceeding with a great deal of haste, which is denying objectors their rights to submit proofs of evidence. The inspector has announced that the closure date for submitting proofs of evidence will be in the next week or so, yet objectors are expected to comment both on economic evaluations for nuclear power and fossil fuels and on the Government's proposed legislation for the privatisation of the electricity industry. There is great worry in the country, especially in the west country, about nuclear power. It seems appropriate that the Minister should make a statement that the inquiry will stand adjourned until after the Government have announced their proposals for the privatisation of electricity.

Mr. Wakeham: I am sorry to disappoint the hon. Lady. I realise that it is an important matter and that constituency interests are involved, but I cannot arrange such a debate. Instead of seeking to get a statement in the House when a public inquiry does not entirely meet her requirements, I suggest that in the week's recess the hon. Lady reads the report of the Joint Committee on Private Bill Procedure and recognise that some of her arguments must be considered in the light of the way in which we proceed in the House.

Mr. Tim Smith (Beaconsfield): If we are to have a debate on a matter of historical interest, as the right hon. Member for Blaenau Gwent (Mr. Foot) suggested, would we not be better off having a debate on the winter of discontent, whose 10th anniversary is fast approaching, so that people can be reminded of just how unpleasant life was under a Labour Government?

Mr. Wakeham: I cannot believe that my hon. Friend is serious. This Parliament and this Government are about things for the future, not about harking back to unpleasant days.

Mr. Andrew Faulds (Warley, East): May I, through the right hon. Gentleman, extend my thanks to his secretary, who was kind enough to drop me at my flat in a somewhat exhausted condition at about 3.30 this morning? I might add that I was exhausted, not she. Is it not a pity that, because of the exhaustion—even more extreme than mine—and the emaciation of the Secretary of State for the Environment, we had to abandon last night's important business? Will the right hon. Gentleman give careful consideration to something that will happen on 21 November? Has he come clean with the House yet that there will be an exhibition—yet again—of the intrusion of cameras, sound equipment and lighting into the Chamber some time during 21 November? How many hon. Members have been told about this—[HON. MEMBERS: "None."]—so that we can watch the nonsense and pass our comments on it?

Mr. Wakeham: I have on a number of occasions expressed my concern about the hon. Gentleman's health and the fading of it, which I seem to notice from time to time.

I am delighted to hear that the story about last night's events ended happily and that my secretary did in fact leave the hon. Gentleman at his flat.

The Select Committee on the Televising of Proceedings of the House is making progress, and I do not believe that it is right for me to announce in the House exactly what it does from time to time.

Mr. Faulds: Hon. Members should know.

Mr. Wakeham: All the members of the Select Committee know perfectly well what meetings are being arranged.

Mr. Faulds: They are kept a secret.

Mr. Wakeham: I do not wish to keep secrets from the hon. Gentleman. We are taking the opportunity of the television cameras and the lighting coming into the House for the state opening to consider again the lighting of the House, which the hon. Gentleman was rather critical of last time. Therefore, I thought that he would congratulate us on trying to meet the requirements of all sections of the House.

Mr. William Cash (Stafford): Does my right hon. Friend agree that it is entirely consistent with convention, practice and precedent for censure motions of the kind contemplated by the Opposition to be debated in Opposition time? Furthermore, if the Opposition reflect upon it, they will appreciate that that was a rule to which they strictly adhered when in government.

Mr. Wakeham: My hon. Friend studies these things closely and he is correct because, broadly speaking, that is the rule.

Mr. Dennis Skinner (Bolsover): I wonder whether the Leader of the House could inform one of the Ministers at the Department of the Environment about the massive escape of methane gas at Arkwright Town in my constituency during the course of last evening and early this morning. Forty families had to be evacuated because the methane readings were more than 100 per cent.

Will the Leader of the House take account of the fact that British Coal was warned about this several months ago when it closed Arkwright pit? The contracting firm that did the job obviously failed to carry out the sealing in a proper manner. Will the right hon. Gentleman make sure that a statement is made, that a public inquiry looks into this matter at all levels, that proper reimbursement is made to the local authority that had to evacuate those 40 families and that proper compensation is paid by British Coal and the contracting firm to those families who have suffered?

Mr. Wakeham: Any incident such as the one that the hon. Gentleman has described is significant and important. I am sorry to hear of the distress caused, but I cannot accept anything else that he said. I shall refer the matter to my right hon. Friend and we shall decide how best to proceed. I shall be in touch with the hon. Gentleman.

Mr. Harry Greenway (Ealing, North): May we have an early debate on housing investment programme allocations, so that I can inform the House of the extreme anger of my constituents at Ealing council's apparent intention to abuse those allocations by putting the ownership of public housing under the control of itself, Brent, Hounslow and Fulham and Hammersmith Labour councils in turn for three years less a day, as a way of getting around the HIP allocations? My constituents are extremely angry about that. It is bad enough having Ealing council attempting to run public housing, let alone Brent and the rest.

Mr. Wakeham: I am sorry, but I cannot see how I can fit in that debate, however interesting it might be, in the time before the House prorogues. I am sure that my hon. Friend will find an opportunity in the new Session to make the speech that he wants to make.

Mr. Eddie Loyden (Liverpool, Garston): In view of the increased and alarming number of incidents around the coast of Britain in the past two years and the apparent indifference of the Government to bringing in regulations that will deal with what has become an increasing activity around our coast, when will the Leader of the House arrange for a debate so that the necessary legislation to tighten up the regulations can be brought in by the Government?

Mr. Wakeham: I am sorry not to be helpful to the hon. Gentleman, as I realise that it is a serious question, but he said, "incidents around the coast of Britain", but he did not say what sort of incident. If he would like to have a word with me afterwards, I shall certainly do my best to answer his question.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall call those hon. Members who have been standing, but I draw the attention of the House to the fact that we have an important statement after this and an equally important debate before opposed private business at Seven o'clock.

Mr. Nicholas Baker (Dorset, North): Is my right hon. Friend aware of the urgent need for more low-cost housing in rural areas? Will he provide an opportunity for the debate that we were to have tomorrow morning at some future date, so that we can discuss this important issue?

Mr. Wakeham: I am sorry that we have lost tomorrow's debate. As my hon. Friend knows, my right hon. Friend the Secretary of State has taken an initiative on rural housing and I hope that that will help in some way to deal with what I agree is an important and difficult problem.

Mr. Tam Dalyell (Linlithgow): When will there be an opportunity to debate the desirability or otherwise of the most senior Ministers telling the old-fashioned truth to the House of Commons?

Mr. Wakeham: I do not accept the premise of the question, so I cannot give the hon. Gentleman a satisfactory answer.

Ms. Joan Walley (Stoke-on-Trent, North): The Leader of the House will no doubt be aware that a computer error last year resulted in pensioners being paid an extra £8. Today, I ask him to tell the House whether he proposes to bring in a review order that will enable local government pensioners to be paid the extra sum that they are now owed. Their employers want to pay it to them, but cannot do so until the Government bring forward the necessary order.

Mr. Wakeham: I cannot answer the hon. Lady's question straight off, but I shall see that my right hon. Friend the Secretary of State knows about it. If it is appropriate for him to answer it, we shall get in touch with the hon. Lady.

Mr. Jeff Rooker (Birmingham, Perry Barr): The public and the House know that there are at least three spare days next week. Does the Leader of the House realise that the refusal to allow the Chancellor of the Exchequer to tell us whether he understands the difference between a pledged benefit, an unpledged benefit and a new benefit will result in his silence making him the Dan Quayle of the Cabinet?

Mr. Wakeham: I should not have thought that silence was the problem of my right hon. Friend the Chancellor of the Exchequer. I have nothing further to add to what has already been said.

Mr. David Winnick (Walsall, North): Is it not true that the Cabinet had decided there would be a debate on Monday on the early-day motion tabled by my right hon. Friend the Leader of the Opposition, but that Ministers at today's meeting were notified that the Chancellor had failed a lie detector test?

Mr. Wakeham: The hon. Gentleman is always more eloquent when talking fiction than when talking facts. I do not believe he has ever been at a Cabinet meeting, and I am fairly certain that he never will be. No doubt his works of fiction will continue to entertain the House.

Mr. Bernie Grant (Tottenham): What action has the right hon. Gentleman taken in the case raised during last week's business questions by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), who is the shadow Minister for the Disabled? I refer to the case of Marquita O'Garro, a five-year-old hole-in-the-heart victim from Montserrat who could not come to Britain for an operation. Has the right hon. Gentleman spoken to his right hon. Friend, and what progress has been made?

Mr. Wakeham: I understand that there has been some progress. I shall need to check, but I think that arrangements have been made for her to go to hospital in Southampton to have the necessary treatment.

Ms. Marjorie Mowlam (Redcar): Will the Leader of the House find time in the near future for a debate on the future of 16 to 18-year-olds? We were assured by the Ministers then responsible, when the social security regulations were introduced, that by this week all young people would be on YTS, in education or in a job. The bridging allowance finished this week; 636 youngsters in Cleveland have no financial assistance; and there are 32,000 in a similar situation throughout the country. That is obscene and should be discussed in the House soon.

Mr. Wakeham: As the hon. Lady knows, there are more vacancies than people to fill them countrywide. I understand that there are difficulties in one or two areas and that my right hon. Friend is doing everything that he can to resolve them as quickly as possible. There will be an opportunity early in the new Session to discuss this, and I have no doubt that with a little ingenuity the hon. Lady will be able to make her points.

Mr. Harry Barnes (Derbyshire, North-East): An ambiguous two-part reply that I received yesterday during Scottish questions implied the electorate registers in Scotland declined by 1 per cent. between 1987 and 1988. As that is likely to be due to the poll tax and its effect on Scotland, should we not discuss that before deciding to pack up, as it is a serious problem for democracy?

Mr. Wakeham: The hon. Gentleman has arrived at an extraordinary conclusion. I cannot find time for a debate on that subject next week.

Mr. Dave Nellist (Coventry, South-East): Has the Leader of the House seen early-day motion 1572, which is supported by 100 Labour Members?

[That this House unreservedly condemns Jaguar management for the sacking of Transport and General Workers Union convenor Tommy Wheeler who, at 18 months from retirement, was dismissed on Friday 4th November for alleged 'gross industrial misconduct'; regards Jaguar bosses' excuse that his 'crime' was not to ask permission for use of a photocopier on union business, although they have accepted this had always been given in the past, as vindictive in the extreme; questions whether the management took their action because the item Mr. Wheeler was photocopying was the regular parliamentary report of the honourable Member for Coventry South East, which contained allegations that during a six week period towards the end of 1987, 17 shop floor workers at Browns Lane had died of strokes and stress-induced illnesses—or whether the company is trying to provoke strikes at the plant in order to ease their cash flow by loss of production and non-payment of wages; and fully supports the industrial action by Jaguar workers in defence of Mr. Wheeler, whose sacking is the latest in a list of victimisations of car industry convenors in Birmingham and Coventry.]

The motion is about the latest vindictive sacking of a car industry convener in the midlands—Tommy Wheeler of Jaguar in Coventry. Would not a debate on that allow us to examine Jaguar's real reasons for dismissing him? Was he really sacked for 20p worth of photocopying paper —albeit paper containing part of a report that I had done on the increase of stress-induced illnesses and deaths in Jaguar, which has lost £20 million of car production this week? Or was Jaguar trying to intimidate trade unions in order to ease its cash flow problems stemming from the declining dollar and to prevent discussion among trade unionists of this appalling increase in illness and deaths at the plant?

Mr. Wakeham: I know that the hon. Gentleman takes an interest in these matters. He knows perfectly well that the House is not the appropriate forum in which to consider such a complaint. If Mr. Wheeler believes that he was dismissed for reasons connected with trade union activity, he can take a complaint of unfair dismissal to an appropriate industrial tribunal.

Mr. Greville Janner (Leicester, West): Will the Leader of the House ask the Home Secretary, who is in his place on the Front Bench, to make a statement today or tomorrow about the request by the city of York for the banning of political marches this coming Remembrance Sunday? Is he aware that the odious and Fascist British National party is planning a gathering and march on that day and that it would be a desecration of an occasion that is sacred to the memory of those who died fighting the very Nazism that that party espouses? Does he agree that this provocative march should be banned?

Mr. Wakeham: I do not know the details, but I know that my right hon. Friend the Home Secretary will take whatever action is appropriate. I have no knowledge of what that is and no notification that my right hon. Friend wishes to make a statement today or tomorrow.

Mr. Tony Banks (Newham, North-West): May I first record my disappointment, Mr. Speaker, at not having been called during Prime Minister's Question Time? I put this yellow tie on especially for that——

Mr. Speaker: Order. If that is a question to me, may I say that the hon. Gentleman was not alone.

Mr. Banks: I want to point out to the Leader of the House that there is a housing crisis in London and the country. Tomorrow we shall discuss a Bill that will do nothing about the problem of homelessness in the capital or the country, and a debate on housing and homelessness on a motion for the Adjournment is to be pushed off the business. That debate was promised by the Government, so will the right hon. Gentleman provide time for it next week, rather than prorogue on Tuesday?

Mr. Wakeham: The hon. Gentleman is considerably more responsible than I am for the fact that there is not to be a debate on homelessness. The problem was discussed at some length during last night's proceedings. I am sorry that the debate will not take place, as this is an important subject.

Dr. John Marek (Wrexham): Will the Leader of the House bring to the attention of his right hon. and hon. Friends early-day motion 1395?

[That this House believes that customs and immigration formalities on all Channel Tunnel international trains should be carried out on board the trains, and not at passenger terminals.]

The motion refers to the desirability of customs and immigration formalities being conducted on board Channel tunnel trains. If there is any difficulty about the Government's acceding to the wishes expressed in that early-day motion, will the right hon. Gentleman consider holding a debate on the matter at some time in the future?

Mr. Wakeham: I do not think that a debate is appropriate now, but I accept the hon. Gentleman's view that one might be convenient at some time in the future.

For Waterloo-terminating services, airport-type controls are the most practical and cost-effective. The vast majority of passengers will pass through the customs hall with no delay. For services going beyond London, the Channel Tunnel Act 1987 provides for checks to be done on board, subject to adequate facilities being provided by British Rail. Discussions about detailed arrangements are taking place with British Rail.

Mr. Allan Roberts (Bootle): Does the right hon. Gentleman recall that two weeks ago I asked him if he would arrange for a statement to be made on the future of Girobank, in the light of the failure of the tendering procedures? He promised to have a word with the relevant Ministers. Did he, and, if so, what did they say?

Will the right hon. Gentleman assure us that the statement will be made on the Floor of the House, not in a written answer this afternoon to pre-empt the Adjournment debate on Girobank? We should be able to ask questions, since this is a major piece of privatisation that does not require legislation.

Mr. Wakeham: I did have a word with my right hon. Friend. As a result of my representations on behalf of the hon. Gentleman, my right hon. Friend the Chancellor of the Duchy of Lancaster will be replying to the hon.

[Mr. Wakeham]

Gentleman's Adjournment debate tonight. I hope that will satisfy him. As far as I know, there are no plans to answer questions this afternoon.

Mr. D. N. Campbell-Savours (Workington): Will the Leader of the House more fully address the question asked by my hon. Friend the Member for Warley, East (Mr. Faulds)? What is actually happening on 21 November? Is there to be a lighting experiment? If there is, at what time will it take place, and are Members of the House precluded from attending?

Mr. Wakeham: I do not think that I have any power to stop Members coming into the Chamber, but I think that the Select Committee should be allowed to get on with its work.

Mr. Faulds: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I shall take the statement first.

King's Cross Fire (Fennell Report)

4.9 pm

The Secretary of State for Transport (Mr. Paul Channon): With permission, Mr. Speaker, I should like to make a further statement about the disastrous fire at King's Cross underground station on 18 November 1987. I am publishing today as a Command Paper the report by Mr. Desmond Fennell QC on his investigation under the Regulation of Railways Act 1889 into the causes and circumstances of this terrible disaster. The House will join me in renewing on this occasion our expressions of condolence to the bereaved and sympathy and best wishes to the injured.

The House will also join in paying tribute to the many people in the emergency services, the staff of London Underground, the public, and the doctors and nurses who showed courage and dedication and gave help in this disaster. I repeat in particular Mr. Fennell's words that a large number of members of the London fire brigade behaved with conspicuous courage and devotion to duty. He particularly mentions station officer Townsley, who died a hero's death, and also the great courage shown by police constable Hanson of the British Transport police, which must have enabled many people to escape with their lives.

Mr. Fennell has concluded that the fire was started by a discarded match falling into accumulated grease and debris on the track of the escalator, and that it accelerated up the trench of the escalator until it burst into the booking hall causing the deaths of 31 people.

Mr. Fennell has made 157 recommendations. He regards 33 of these as most important and a further 59 as important. Action is of course already under way on many of them. Many of the recommendations require specific action by London Underground Ltd. to prevent a recurrence. They do, of course, include the most urgent removal of wooden panelling from escalators. I have asked London Regional Transport to have all these recommendations dealt with promptly. Considerable amounts will have to be spent. The plans announced by my right hon. Friend the Chancellor of the Exchequer on 1 November already provide in full for all the proposals already put to me for spending on underground safety totalling £266 million over the next three years.

The investigation has shown major shortcomings requiring a new approach to safety management and fire prevention in the underground and specific safety audits by London Regional Transport. I am calling on both bodies to put urgently into effect new arrangements recommended by Mr. Fennell.

An enhanced approach is also required from the Railway Inspectorate and I have discussed Mr. Fennell's recommendations with the chairman of the Health and Safety Commission. I have every reason to expect that the present recruiting campaign will bring the inspectorate fully up to complement by the end of January. It will need to be further strengthened for the tasks that Mr. Fennell identifies, including the use of the powers of the Health and Safety at Work etc. Act 1974 to enforce measures needed for the safety of passengers on the Underground and, I must add, on other railways. The chief inspecting officer of railways is now organising a special investigation of London Underground with support from the Health

and Safety Executive. It will examine the safety management systems and monitor the implementation of planned safety measures, and will be completed in March.

The lessons of this report go wider than London Underground and London Regional Transport. I have today written to the chairman of the British Railways Board inviting the board to consider the lessons of Mr. Fennell's report for the management and audit of safety. Letters are also being sent to the chairman of the passenger transport authorities in Tyne and Wear and in Strathclyde.

My right hon. Friend the Home Secretary will shortly bring forward regulations under section 12 of the Fire Precautions Act 1971 to require specific measures at Underground stations. This is the speediest means to introduce enforceable standards without uncertainty. The railway operators and fire authorities will be consulted on them. My right hon. Friend is commissioning special studies of the best methods to control the spread of smoke. These present difficult technical problems.

There are also lessons for the emergency services. Copies of the report are being sent to the London fire brigade and London ambulance service. I shall be considering its implications for the British Transport police, and my right hon. Friends concerned will be considering its implications for the emergency services for which they have responsibilities.

I have to deal with two particular matters. As regards the costs of representation at the investigation, after taking into account the special circumstances of this case, I am accepting in full Mr. Fennell's recommendations.

Secondly, on the position of individuals, following the fire, Sir Keith Bright offered to resign as chairman and chief executive of London Regional Transport. I asked him to stay during a difficult period, and he did. He has asked me again to accept his resignation, and I have now done so. Dr. Tony Ridley is a member of the board of London Regional Transport, and the chairman and chief executive of London Underground Ltd. He also has given me his resignation, which I have accepted. I shall make fresh appointments in due course, and meanwhile Sir Neil Shields, who is a member of the board of London Regional Transport, has at my request agreed to take on the chairmanship.

I conclude by expressing to Mr. Fennell and his assessors my warm thanks for a very full and thorough investigation. We must all ensure that the lessons of this tragedy are fully learnt and fully applied. The Government will play their full part to ensure that they are followed up as quickly and as vigorously as possible.

Mr. John Prescott (Kingston upon Hull, East): On behalf of the Opposition, may I express our condolences to the bereaved and join in the tributes to the bravery shown by the people in our emergency services during this terrible tragedy. I congratulate Mr. Fennell on his report and recommendations. The inquiry was limited by the terms of reference laid down by the Secretary of State and that prevented a fuller examination of the real causes of this tragedy. Those causes included the climate created in London Underground Ltd. by the obsession with reducing costs through the continuous reduction of manpower and resources affecting safety, and the need for the responsibility for Underground safety to be transferred to the independent Health and Safety Commission.

Clearly one would like to have had the report for the three weeks that it has been available to the Secretary of State. I hope that he will confirm that there will be an early opportunity to debate the report and its implications for the future. The report makes clear that the responsibility for the monumental failure to provide the adequate safety standards that the travelling public have a right to expect lies directly with the highest level of management which enthusiastically implemented such a disastrous policy. There will be few regrets among Opposition Members at the departure of that management.

Can the Secretary of State inform the House in more detail of his reasons for refusing Sir Keith's offer to resign immediately after the tragedy? Was that refusal based on the fact that Sir Keith and Dr. Ridley successfully achieved the policy objectives of increasing revenue and of reducing costs, staffing and subsidies spelt out in a letter of 20 July 1984 by the present Secretary of State for the Environment to the chairman, Sir Keith Bright? In that letter there is no mention of the importance of obtaining the high levels of safety that are necessary in a public transport undertaking. That letter is a disgrace and was a contributing factor to this terrible tragedy. Sir Keith Bright's success in agreeing to reach these objectives presumably influenced the Government to recommend him for his knighthood.

Does the Secretary of State accept that, as the inquiry report shows, there exists among London Underground management a feeling that the financial climate ruled out proposals to increase spending in certain areas? These clearly involve the vital areas of safety, equipment, maintenance and staffing which were subordinated to the overall objective of increasing revenue and reducing subsidy as required by the Government. Would it not have been better to use those subsidies for the investment in safety that the Secretary of State now proposes in his statement? Does he agree that that would have been better than saving money for the Treasury? If those subsidies had been used earlier, the tragedy might have been prevented.

Is the Secretary of State aware that, since this terrible tragedy, there have been four fires per week to which the London fire brigade has been called, and a serious fire every two weeks within the London underground system? What reassurance can he offer to the House that proper precautions are being taken to avoid such disasters? Is he aware of the growing safety fears of Underground passengers, as detailed in the *Evening Standard* poll last Friday?

Will the Secretary of State now accept that the institutional changes in the safety responsibilities that he has just mentioned will not be accepted as sufficient by Opposition Members? His promise to bring his Department's safety inspectors up to the proper level is an indictment of his Department's attitude to the enforcement of safety in this matter. Will he now seriously consider the possibility of transferring the responsibility for underground safety matters from his Department's Railway Inspectorate to the independent Health and Safety Commission?

Finally, does the right hon. Gentleman accept that, as Secretary of State for Transport, he and his predecessors bear a great deal of responsibility for this disaster? His predecessor—the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), now Secretary of State for the Environment—assured me in the House that, in transferring responsibility for London Transport from elected London representatives to himself, the Secretary of State for Transport would be directly responsible and accountable for safety matters. Will he now accept that

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responsibility by following the example set by London Underground's most senior managers and tender his own resignation?

Mr. Channon: I endorse what the hon. Member for Kingston upon Hull, East (Mr. Prescott) said in the first part of his remarks, but I disagree fundamentally with everything else that he has said to the House. In particular, he has misrepresented the position of my right hon. Friend the Secretary of State for the Environment when he was Secretary of State for Transport. He has misrepresented my right hon. Friend's letter, in which he set out the objectives of London Regional Transport. My right hon. Friend referred at the beginning of the letter to the Act setting out the framework of duties for the board and chairman of LRT. Safety is laid down as a paramount objective under section 2(2) of that Act.

Mr. Prescott: There is no safety in that.

Mr. Channon: The Act sets out the framework of duties. It is typical of the hon. Gentleman that he should misrepresent my right hon. Friend's attitude. If I am to be told that the Underground was better run when it was under the control of the Greater London council, I shall ask the House to bear in mind the level of investment at that time which led to great neglect of the Underground and which has taken a long time to remedy.

The hon. Gentleman asked a number of other questions. He implied that the fire was the fault of the Government as they had reduced costs. The inspector stated:

"In my judgement there is no evidence that the overall level of subsidy available to London Regional Transport was inadequate to finance necessary safety-related spending and maintain safety standards."

The House will have the chance to study that paragraph. *[Interruption.]* On the contrary, I have quoted the sentence and the paragraph. The inspector went on to say:

"I accept the evidence of the most senior management in London Regional Transport and London Underground that if funds were needed, funds were available."

[Interruption.] If I do, my case will become stronger, not weaker. I am sorry that the hon. Gentleman has taken that tone in this sad and difficult situation.

Mr. Tony Lloyd (Stretford): Dishonesty.

Mr. Channon: The action that I have taken and the fact that Mr. Fennell's safety recommendations are now being carried out lead me to the view that the most energetic steps are being taken to remedy the deficiencies suggested in the report.

Mr. Terence L. Higgins (Worthing): Does my right hon. Friend agree that the chairman of London Regional Transport was right to offer his resignation immediately after the tragic disaster, but that, equally, my right hon. Friend was right not to accept it when action was needed and the person concerned was familiar with the overall situation and no inquiry had taken place which gave any indication of the cause of the tragedy?

Mr. Channon: I entirely agree with my right hon. Friend. That was why I asked Sir Keith Bright to stay on. During the inquiry, it was essential to have Sir Keith at the helm. That was the right course at that time.

Mr. Frank Dobson (Holborn and St. Pancras): First, I thank the Secretary of State for his courtesy in supplying me with a copy of the report earlier this afternoon.

I wish to pursue the point made by my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott). Will the right hon. Gentleman confirm that the Act setting up London Regional Transport urges it to bear in mind economy, efficiency and safety? What were the senior management of London Transport to make of an 838-word letter from the right hon. Gentleman's predecessor, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), which talked only of economy and efficiency and said not a word about safety? Surely they were to conclude that economy and efficiency were more important than safety.

Does the Secretary of State accept responsibility for the shortcomings of his Department's Railway Inspectorate, which knowingly deployed only one health and safety officer to police the whole of the London Underground and British Rail southern region together? Were he or his Ministers aware that his railway inspectors were insisting on higher safety standards in Hong Kong and Singapore than they were demanding of London Underground?

Finally, it was accepted at the inquiry that Ministers were responsible for safety policy. Will the Secretary of State therefore tell us to which Ministers the chief inspector was referring on day 79 of the inquiry when he stated that Ministers had criticised the Railway Inspectorate for making too many safety demands on London Underground? Will he tell us, from the evidence in the review of the Railway Inspectorate, published in April 1987, who decided that the inspectorate should not check on the maintenance of operating equipment? If any of the Ministers concerned are still in post, surely they should follow the example set by Dr. Bright and Dr. Ridley—and, I hope, the other Ridley—and resign.

Mr. Channon: My hon. Friend the Minister of State gave the hon. Gentleman a full written answer on his last point only the other day. No such instruction as he describes was given.

As regards the letter written by my right hon. Friend, the House can see from written answers exactly what my right hon. Friend said. The London Regional Transport Act 1984 states that London Regional Transport should have due regard to

"efficiency, economy and safety of operation."

That is not qualified by anything later in the Act.

When my right hon. Friend wrote his letter of objectives to the chairman, at the beginning of the letter he said:

"The Act sets the framework of duties for you".

It is crystal clear that he meant that the organisation should pay attention to efficiency, economy and safety of operation.

Mr. Fennell made some remarks about and criticisms of the Railway Inspectorate. He said that there was not enough "creative tension" between the inspectorate and the Underground. I accept that fully. We must learn the lessons for the future. Four actions have been taken. First, the Railway Inspectorate is setting up a special team with help from the Health and Safety Executive and the London fire brigade to examine the Underground safety management systems and monitor the implementation of the necessary action. Secondly, I have asked the chairman of the Health and Safety Commission for his views on the report. Thirdly, I expect to fill all gaps in the complement

of the Railway Inspectorate by the end of January. Fourthly, I have asked the chief inspecting officer to review urgently whether the present complement is sufficient or needs to be increased in the light of Mr. Fennell's report.

Mr. John Wheeler (Westminster, North): Will my right hon.Friend confirm that the tragedy is unique in 60 years of the operation of the London Underground? Will he also confirm that Mr. Fennell's report establishes that the cause was nothing to do with a lack of investment or personnel? Is it the case that LRT has failed to use all the money that it was allocated? How much higher is the investment compared with that of the former Greater London council management?

Mr. Channon: I am glad to say that the accident is unique in the history of the London Underground. Most people would consider that on the whole the London Underground had a very good safety record in many years of operation. The inspector has made specific points on the question whether the cuts—as they are described by the Opposition—in investment or staff led to the disaster. I have already quoted him on the financing of London Regional Transport. He also makes a specific reference to the numbers of staff when he states:

"I found no evidence that the reduction in the number of operating or maintenance staff contributed directly to the disaster at King's Cross."

I hope that that canard can be laid to rest.

As to the question of financing in the past few years, ever since the Government took over from the GLC the annual capital expenditure in real terms has been higher than it was in any of the last five years of the GLC. Today, in real terms, investment in the London Underground is running at double what it was in 1982.

Mr. Nigel Spearing (Newham, South): Is the Secretary of State aware that, on 26 October 1987, Sir Keith Bright met a number of London Members of Parliament and expressed deep concern at the directions he was then working under, expressed in a letter reported in *Hansard* for 20 July 1984 at column 373? Is the Secretary of State aware that that letter requires a reduction in costs of about £95 million a year while maintaining fares at a stable level? Is it not a fact that the budget of the lifts and escalators department of London Underground was cut from about £11 million to £6 million in three years? Whilst the Act to which he referred, the London Regional Transport Act 1984, required, in section 2(2)*(b)*, London Regional Transport to have due regard to safety, does he agree that the cut in the escalators budget to which I have referred shows an undue regard to economy?

Mr. Channon: On that specific point, I can only refer the hon. Member for Newham, South (Mr. Spearing) to the conclusions of the inspector, who stated:

"In my judgment there is no evidence that the overall level of subsidy available to London Regional Transport was inadequate to finance necessary safety-related spending and maintain safety standards."

That must be conclusive. The matter has been assessed by the inspector. He made those remarks and I should have thought that that would be enough to satisfy any reasonable hon. Member.

Mr. Robert Adley (Christchurch): No one would deny that I do my best to seek investment in the railways and public transport, but is my right hon. Friend aware that the remarks that he has quoted from Mr. Fennell's report seem totally to give the lie to the wild allegations made by the hon. Member for Kingston upon Hull, East (Mr. Prescott), who was giggling when my right hon. Friend began his statement? The hon. Gentleman's attempts to make party political capital out of people's personal tragedies are absolutely nauseating. Can my right hon. Friend——

Mr. Speaker: Order. Please ask a question. Many hon. Members wish to take part in the debate.

Mr. Adley: Can my right hon. Friend confirm that Sir Keith Bright was appointed to his job by the hon. Member for Brent, East (Mr. Livingstone), who appears not to be here this afternoon? If that is the case, would it not be a good thing if the hon. Gentleman turned up——

Mr Speaker: Order. I know that the hon. Gentleman has an interest in these matters, but a great number of hon. Members wish to take part and I think that two questions are enough.

Mr. Adley: Finally, can my right hon. Friend——

Mr. Speaker: Order. I said that two questions are enough.

Mr. Channon: My hon. Friend asks about the capital spending. I can refer him to another remark that the inspector makes which is extremely important when the House and the public judge this matter. I very much regret that this discussion has turned into a debate of this nature. As the inspector says:

"There has been a tendency in London Underground in the past for capital expenditure to be less than the budgeted figure."

Far from being restrained, London Underground did not spend money that the Government had authorised it to spend. That proves conclusively that, whatever dirt Opposition Members wish to dish out, their attempt to pretend that the Government are starving London Underground of investment is simply untrue and will not wash.

Several Hon. Members *rose*——

Mr. Speaker: Order. I point out to the House yet again that after these exchanges we have a very important debate on the immigration rules which is bound to end at 7 o'clock. I ask for brief questions and for hon. Members not to repeat what has already been said.

Mr. Robert Hughes (Aberdeen, North): I regret that the Secretary of State did not do me the courtesy of letting me have an advance copy of the report.

Is it not the case that the most dangerous thing about the Fennell report is that it gives no precise explanation as to why the fire fireballed? We are offered a simple explanation or a hypothesis. Will he therefore guarantee that there will be further research into the cause of the fire to try to find a preventive cure? Does he accept that it is dangerous complacency to regard the disaster as a unique occasion and a freak fire? That is the way to slip into the slot of failing to take safety into proper account. Will he therefore guarantee that, whatever money is needed by London Underground over and above what is already estimated, that money will be found from the public purse and not through increased passenger fares?

Now that Sir Keith Bright and Dr. Ridley have done the honourable thing, will the Secretary of State tell us why

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he has not followed the doctrine of ministerial responsibility and offered his resignation; or has that doctrine simply been cast aside in the same cavalier fashion as the Government cast aside their other responsibilities to the travelling public?

Mr. Channon: When the hon. Gentleman has a chance to read the Fennell report in full, I think that he will find that my resignation is not called for. I agree with him about the great importance of finding a precise explanation for the appalling fire. There are some detailed and scientific explanations for what was a unique fire. However, as the hon. Gentleman was quite right to point out, that does not remove the necessity for every step to be taken to ensure that a fire of such a serious nature does not occur again.

As for my not being able to send the hon. Gentleman a copy of the report, under the rules of the House I cannot send every hon. Member a copy of the report. I only wish that I had been in a position to send the hon. Gentleman a copy rather than some other hon. Members.

Mr. Peter Fry (Wellingborough): Does my right hon. Friend accept that Conservative Members dismiss absolutely charges that he should tender his resignation? As those of us who were on the Select Committee on Transport are well aware, as early as the spring of this year his permanent secretary assured the Committee that money would be available to put into effect the recommendations of the report. Many of us feel that the Secretary of State has followed his duty absolutely correctly and should not be made the subject of political criticism by the Opposition.

Mr. Channon: I am extremely grateful to my hon. Friend for his generous support.

Mr. Terry Fields (Liverpool, Broadgreen): Set against the Secretary of State's arrogant attitude in presenting the report today, the staff shortages and the understanding of members of staff that conditions on the London Underground were dangerous to such an extent that staff were disciplined for handing out leaflets only days before the disaster, do not his messages of sympathy ring hollow? They will not bring back station officer Townsley or anyone else. He got away with the Herald of Free Enterprise disaster. Why does he not resign over this disaster?

Mr. Channon: I have already made my position clear. On staff, the inspector said:

"I found no evidence that the reduction in the number of operating or maintenance staff contributed directly to the disaster at King's Cross."

The hon. Gentleman is right about one issue. It is essential in the future to have better trained staff so that they can be more efficient and carry out their duties more effectively. One of the main recommendations of the report points to a lack of effective training in the past.

Mr. Michael Shersby (Uxbridge): Can my right hon. Friend confirm that the paint used at King's Cross station was not responsible for the so-called flash-over effect? If so, can he explain to the House the reason for the rapid spread of the fire?

Mr. Channon: The inspector came to the conclusion that the paint was not responsible for the flash-over effect. Rather than summarise what the report says on that technical matter, I urge my hon. Friend to read the report in full. There is a chapter about the cause of the flash-over. It explains why the fire, which was caused by a match falling into grease and which spread up the escalators, had what, as far as we know, was a unique effect in the history of fires.

Mr. Simon Hughes (Southwark and Bermondsey): I associate myself and my colleagues with the condolences, tributes and thanks expressed by the Secretary of State. Can he confirm that the evidence of the Fennell inquiry is that the tragic deaths followed four years of negligence on safety at the highest levels of LRT management? Is he honestly saying that he and his colleagues bear no responsibility for what happened when LRT is Government instituted and Government run? Given that Mr. Fennell makes it clear in his report that safety was not given such a high priority as productivity and efficiency, what guarantee is there for the travelling public that the next four years will see safety any more highly regarded than it has been in the past?

Mr. Channon: The London Regional Transport Act 1984 and the report make it clear that the responsibility for safety on the railways, not only the Underground, has been and remains the responsibility of the operators. That is the only practical way in which it can be carried out. The hon. Gentleman will know that that is the position on British Rail.

Mr. Peter Snape (West Bromwich, East): That is what worries us.

Mr. Channon: I am surprised that the hon. Gentleman should say that. The safety record of British Rail has been extremely good.

The purpose of the report is to ensure that action will be taken on safety in the future. That is the purpose of the 157 recommendations, the majority of which have already been agreed, and the 104 action points in the London Underground programme. The report recommends a change in attitude towards safety, and I accept that.

Mr. Roger Sims (Chislehurst): Can my right hon. Friend assure us that the 157 recommendations will be implemented and that finance will be available to ensure that they are? Will he call for regular reports from LRT on the progress of the implementation? Is my right hon. Friend aware that in the past year LRT has continued to erect barriers which allow people to go in only one direction and that there is some concern about their safety? Can he comment on that?

Mr. Channon: Mr. Fennell asks for a further review of the new Underground ticketing system to be carried out in conjunction with the London fire brigade and the Railway Inspectorate. I strongly support that and it will be carried out. There has already been one review of that type, and the preliminary view of the fire brigade and the inspectorate is that it is safe. The second review is being carried out.

I can assure my hon. Friend that finance will not be a barrier to any of the recommendations being implemented. The majority of them are already in train, and I shall wish to discuss with LRT all the recommendations in detail.

Mr. Tom Cox (Tooting): Is the Secretary of State aware that the real tragedy of King's Cross is that for years hon. Members, especially London Members, have brought to the attention of successive Secretaries of State the ongoing problems of London Transport which were repeatedly brushed aside as being irrelevant? Does the right hon. Gentleman ever travel on London Underground? Does he ever travel on the Northern line and see the conditions under which thousands of people have to travel? Has he seen the deplorable stations, and is he aware that many escalators do not work? Where is the safety provision for those people? When will we hear from the Secretary of State that the people who run London Underground are committed to providing proper services coupled with safety and that the balance sheet is no longer the sole criterion for the way in which London Transport operates?

Mr. Channon: As a Member of Parliament for a constituency containing many thousands of commuters, I am experienced in travelling on British Rail and London Underground.

The hon. Gentleman asked about investment in London Underground. As I have said, about £230 million is being spent this year, which, in real terms, is double that spent six years ago. The programme continues to increase. I have announced recently an enormous project to modernise the Central line, which will cost more than £700 million. I have announced a programme for the elimination of the island platform and improvement at the Angel station. I have announced extra rolling stock and improvements at Liverpool Street. There are further announcements to come.

There is massive investment in London Underground and we shall press ahead as fast as we can, consistent with safety, to improve standards. The House, in its more sensible mood, will understand that it is one of the oldest systems in the world and that it is difficult to tackle the problems with the speed that most people would like. However, it will be done with vigour and energy.

Mr. Matthew Carrington (Fulham): Will my right hon. Friend accept that the many users of the London Underground will welcome the thoroughness and detail of Mr. Fennell's report and will be reassured by the conclusions he reached and the recommendations made? Will he comment on the need for joint safety training between the staff of London Underground, the London fire service and the London ambulance service, which seemed to be one of the major problems involved in the tragedy turning into a disaster?

Mr. Channon: I agree with my hon. Friend that the report is extremely thorough and makes a number of important recommendations, many of which have already received attention. When hon. Members have time to read the report they will agree that Mr. Fennell should be congratulated on his full report. My hon. Friend is right to point to the importance of joint safety training for the emergency services. That is a point made by Mr. Fennell. I strongly support that and will ensure that it is carried out.

Mr. Ron Leighton (Newham, North-East): Is the Secretary of State aware that, in his meetings with London Members of Parliament, Sir Keith Bright showed himself to be increasingly unhappy at the financial stringency being imposed upon him by the Government, particularly the elimination of Government grant? If the Secretary of State disputes that, perhaps he will give us the figures for Government grant over recent years. London Underground has been starved of resources and that has led to the virtual elimination of uniformed staff under ground. If he thinks that that is a good thing, perhaps he will speak to the Transport police. There is no doubt that financial considerations were put before safety. Sir Keith Bright only followed orders. The guilty men are those who gave the orders and they can be seen on the Government Front Bench. It is the Secretary of State and his predecessors who should resign, not Sir Keith Bright.

Mr. Channon: The hon. Gentleman is entirely wrong. Hon. Members, when they get a chance, should read the report. Chapter 19 deals with the——

Mr. Leighton: What about Government grant?

Mr. Channon: I am dealing with that. Chapter 19 deals with the steady reduction in subsidy and points out that, while the subsidy was being reduced, investment expenditure increased by 48 per cent. in real terms. It goes on to say:

> "In my judgment there is no evidence that the overall level of subsidy ... was inadequate to finance necessary safety-related spending".

Opposition Members, who are seeking to turn this terrible tragedy into a party political issue, are misguided.

Mr. Nigel Forman (Carshalton and Wallington): I welcome my right hon. Friend's prompt and effective response to this important report, but will he pay particular attention to the detailed points made about safety on the Underground, one of which was mentioned by my hon. Friend the Member for Chislehurst (Mr. Sims) —ticket barriers? Will he consider whether further action can be taken to limit all smoking on the Underground? I know that that is the technical position, but it is important that it should be enforced.

Mr. Channon: I agree with my hon. Friend's first point, which was raised earlier by my hon. Friend the Member for Chislehurst (Mr. Sims). I am strongly in favour of making the smoking ban more effective, but it is difficult to see how it can be done. Mr. Fennell makes two recommendations that may be helpful. First, he says that a byelaw should be passed to make it an offence to drop litter on the Underground. If such a measure were introduced, I am sure that the House would give it general approval. Secondly, he recommends that shops on the Underground should not be able to sell material that could later become flammable. That is a matter that LRT will wish to consider, and I have much sympathy with it.

Mr. Tony Banks (Newham, North-West): Is the Secretary of State aware that, at a meeting of London Labour Members of Parliament on 26 October 1987, Sir Keith Bright said that he believed that the Government would

> "'push us down until something starts to happen', that is until LRT told the Government that there would be material deterioration of the transport service."?

Is it any wonder that Labour Members hold the Government's policies as much responsible for that fire as the match that caused it? If there were any honour left among Ministers, the Secretary of State would resign instead of acting like Pontius Pilate and blaming everyone except himself.

Mr. Channon: I am not blaming everyone else; I am merely reporting the conclusions made in Mr. Fennell's report, which I ask the House to read in full. I am content to be judged by those who read Mr. Fennell's report, who will take full account of the investigation that has taken place. I do not know how the hon. Gentleman can make such remarks about the Underground when over the same period investment has increased by over 50 per cent. in real terms to improve safety and congestion from the pitiful levels of a few years ago.

Mr. Robert G. Hughes (Harrow, and West): Is my right hon. Friend aware that a number of hon. Members served on the London Transport committee of the Greater London council? If any of those hon. Members, including myself, looked honestly at the figures for capital expenditure, they would have to conclude that the amounts allocated since the Government took control of London Transport have been generous to a point that would be surprising. Anyone who served on the committee during that time should be congratulated. Does my right hon. Friend agree that one of the major lessons to be learnt is that contact and liaison between the London fire brigade and LRT must at all times be wide and deep? When a fire is reported, the fire brigade must always be called.

Mr. Channon: As the question of finance has been continually raised by hon. Members, the House might like to know that the cash investment figures for 1988-89 are budgeted to be £230 million. When the GLC was abolished, the figure was about £117 million. In real terms, it has increased by over 50 per cent., which gives the lie to those who criticise the Government's investment programme.

My hon. Friend is entirely right about the fire brigade. Until recently, it had not been the practice under any regime for the Underground to call the fire brigade unless there had been an interruption to train services of about 30 minutes. A fire had to be serious before the fire brigade was called. That has been changed completely and the fire brigade is called as a matter of routine, which is to be welcomed.

Mr. Ken Eastham (Manchester, Blackley): Will the Minister apply himself to the issue of the Health and Safety Executive? Is he concerned that it has little influence on safety on the Underground? Agency arrangements have been made whereby London Transport precepts money from the Health and Safety Executive, which has no influence although it provides the money. Is it not time that the arrangements were divorced so that London Transport does not inspect itself? An outside body with influence should make the inspections to replace the present cosy arrangement.

Mr. Channon: I have already had one meeting with the chairman of the Health and Safety Commission. I hope to discuss the report with him in detail, and I shall bear in mind the hon. Gentleman's remarks.

Mr. Hugh Dykes (Harrow, East): Will my right hon. Friend dismiss with contempt the crude attempts of the Opposition to make partisan capital out of this enormous human tragedy? During exchanges, I distinctly heard the hon. Member for Stretford (Mr. Lloyd), who is an Opposition spokesman on transport, accuse the Minister of dishonesty when quoting from the report. To provide further reassurance, after this exhaustive report, to the millions of people who use London Transport, including myself—the Labour party does not have a monopoly of hon. Members who use London Transport over and under ground—will my right hon. Friend ensure that steps are taken as quickly as possible, within the normal definitions of fire safety and fire brigade certification, to inform the London travelling public that all escalators will be fireproof, within the reasonable definition of that word?

Mr. Channon: Panels will be replaced, as Mr. Fennell has recommended, by July next year, which London Transport says is possible. I am determined that they should be changed, and I am grateful to my hon. Friend for his wholly justified remarks about finance.

Mr. Chris Smith (Islington, South and Finsbury): May I, on behalf of those of my constituents who were bereaved by the fire last November, add my appreciation for the detailed work that Mr. Fennell has done, albeit with severe limitations as to remit? I add my tribute to the emergency services which helped at the fire, many of which were based in my constituency.

The Secretary of State has made much of his decision to bring the Railway Inspectorate for the Underground up to complement in January. What is the currently accepted complement? Why was it not fully in place prior to November 1987? Why were emergency steps not taken in the aftermath of last November to ensure that it was immediately raised to complement?

Mr. Channon: I am grateful for the hon. Gentleman's remarks in the first half of his question, with which I agree.

The complement of the Railway Inspectorate is 24. I intend to have that fully in place by the end of January, and, as I have already told the House, I am considering whether the Railway Inspectorate needs strengthening in the light of Mr. Fennell's report. It has proved necessary, quite rightly, to have a special recruitment drive and to reconsider salaries. Budget has never been a constraint in the recruitment of railway inspectors, but there have been serious recruitment problems for a number of years.

Mr. Toby Jessel (Twickenham): Contrary to what the hon. Member for Tooting (Mr. Cox) said, will my right hon. Friend remind the House that, apart from this one terrible disaster, Underground services must have improved because in the past six years the number of passengers carried has increased by 70 per cent.? That must surely reflect some credit on those concerned.

Mr. Channon: My hon. Friend is entirely right. The number of passengers carried on the Underground has increased considerably. Until this terrible disaster, its safety record was extremely good. I am sure that the House looks forward to the improvements that I have announced, which I hope will reassure the travelling public that every effort is being made to improve safety.

Mr. David Young (Bolton, South-East): The Minister said that if funds were needed they would be made available. I find it difficult to understand why 31 people had to die to provide recommendations for the future. Will the Department of Transport ensure that safety considerations and public transport are completely divorced from any financial constraints that the Government may choose to place on them?

Mr. Channon: Some £266 million has been given to the budget, which was announced earlier this month. I assure

the hon. Gentleman that I regard safety as a paramount consideration. The only remark made by the hon. Gentleman with which I disagree is that this disaster had to occur for these measures to be taken. As I have tried to show, the investment programme of London Underground Ltd. has been increased enormously over the past few years.

Mr. Jeremy Hanley (Richmond and Barnes): The question put by my hon. Friend the Member for Twickenham (Mr. Jessel) included statistics showing that the number of passengers using London Underground had increased greatly in the past few years. I am sure that my right hon. Friend the Secretary of State will agree that it is vital for the interests of London and Londoners that that increase should continue in the future because public transport is vital to all of us in London. Will my right hon. Friend therefore add to the confidence that many people already have in London Underground and London Buses by instituting a full safety audit?

Mr. Channon: Yes; I intend to have a special safety audit of London Underground which will report to me in March. I also intend to have a continuing audit, whereby I receive quarterly reports on safety matters on London Underground from now on. I think that that should reassure people about the improving safety record of London Underground.

Mr. Bernie Grant (Tottenham): The Minister has stated that London Transport did not spend enough money or as much as was available. Which Minister was responsible for monitoring London Transport spending? Does the Secretary of State accept that, when London Transport was run by the GLC, the GLC transport committee monitored both revenue and capital spending very closely? Is not the Minister who ought to have been monitoring London Transport spending in some way responsible for the tragedy?

Mr. Channon: When the GLC was responsible for investment it was not difficult to monitor as it was exceedingly small. In the early 1980s it was about half what it now is in real terms.

Mr. Tony Banks: It was cash limited by the Tory Government.

Mr. Channon: In recent years London Underground has shown a much better record of spending its capital budget than some years ago. As the report points out, over the years there was a tendency for capital expenditure to be less than the budgeted figure. I am glad to say that that has been rectified.

Mr. Martin Flannery (Sheffield, Hillsborough): As one who has used King's Cross Underground station for many years and who went through it on the day in question, I put it to the Secretary of State that the cuts were obvious, even to the travelling public. For instance, ticket collectors were constantly missing and the exit from King's Cross was regularly closed so that everyone had to enter and leave the same way, which was highly dangerous. Is it not a fact that the number of cleaners at the station had been cut from more than a dozen to just two and that that played a role in the fire? Is it not utterly futile for the Secretary of State to talk about how much money was there when we could see the cuts taking place all around us, the effects of which were and still are dangerous?

Mr. Channon: The hon. Gentleman's comments are not borne out by the report, which deals specifically with staffing levels. I have already quoted to the House the fact that the inspector found no evidence that the reduction in the number of operating or maintenance staff contributed directly to the disaster at King's Cross.

The hon. Gentleman makes a good point about the exits. Further instructions will have to be given to ensure that exits are open at the appropriate times.

Mr. Harry Barnes (Derbyshire, North-East): In chapter 19 of the report, paragraph 3(i) states:

"There was also evidence that when the budget for escalator cleaning was reduced, the effects were not fully considered at an appropriate level."

Does that not come back to ministerial surveillance of the activities of the Underground? As this is not an isolated instance in terms of recent disasters, which have included Piper Alpha, Zeebrugge, Bradford——

Mr. Speaker: Order. Let us keep to the matter before us as time is getting on.

Mr. Barnes: My question in connection with transport disasters such as Zeebrugge and the King's Cross fire concerns the possibility of national disaster legislation. In view of our experiences, would it not be appropriate to introduce such legislation based on the United States, Canadian, French and Australian legislation?

Mr. Channon: My right hon. Friend the Home Secretary is considering the latter point, and I will bring the hon. Gentleman's remarks to his attention. On the first point, I fear that this shows one matter for criticism by the inspector of the management of LRT.

Dr. John Marek (Wrexham): Will the Secretary of State reflect on the fact that it demeans his office to try to brazen out a disaster of this kind and, like Pontius Pilate, to blame anyone but himself and his colleagues in the Government by giving misleading quotations, not quoting the report fairly, and seeking to introduce the superfluous question of investment when 31 people died due to accumulated grease and debris which had nothing to do with capital investment? Does the Secretary of State accept that it was a matter of revenue expenditure and that those people died because of cuts in manning? I put this to him bluntly: has he asked, or will he ask, his right hon. Friend the Secretary of State for the Environment to consider his position? If not, is there no hole into which he will not crawl and no argument that he will not use to cling to office?

Mr. Channon: When the hon. Gentleman reflects on his remarks he will find that they demean himself and his conscience. He should read the report in full before making such a ridiculous series of remarks. They were intended to be offensive and wounding, and they were indeed offensive. I assure the hon. Gentleman that if he reads the report in full he will see that I have given a fair account of it to the House.

Associated British Ports (No. 2) Bill

5.5 pm

Mr. Speaker: As I undertook to do yesterday, I have made further inquiries of the Second Deputy Chairman of Ways and Means about the Division that took place at 9.51 on Tuesday evening. As will be seen from the *Official Report*, having collected the voices, the Deputy Speaker stated her opinion that the noes had it. As "Erskine May" states on page 400, if the declaration of the result by the Chair is challenged, a Division takes place.

The Deputy Speaker's declaration was challenged, by a shout of Aye, as the *Official Report* shows, and a Division followed.

What the *Official Report* does not show, since it was purely mechanical, is that, for the avoidance of any confusion, the Deputy Speaker collected the voices afresh, and then ordered the Lobbies to be cleared. Yesterday there were at least two occasions when the Chair took a similar course when Members did not appear to be totally clear what was happening.

In response to a point of order from the hon. Member for Holborn and St. Pancras (Mr. Dobson), the Deputy Speaker indicated that she was satisfied that there was no defect in the procedure by ruling that the Division was in progress. Nothing out of order occurred.

Mr. Stanley Orme (Salford, East): On a point of order, Mr. Speaker. I thank you for that explanation. In my view, two matters arise from it.

The first concerns the conduct of private business and the Government's attitude to it, which has made this a highly contentious issue on the Floor of the House. Without putting words into your mouth, Mr. Speaker, I believe that you share some of the doubts about the way in which such business has been handled. When the Prime Minister comes to vote on a private Bill, although there is no Whip, that in itself makes the matter highly contentious.

Secondly, following what you have said, I believe that the matter of the voting procedure should perhaps be referred to the Select Committee on Procedure. There is great doubt, especially among the Opposition, about the developments that have taken place, and although I do not contradict your statement about the factual situation, the position is still highly unsatisfactory from our point of view and I must register that fact in the House.

Mr. Speaker: I thank the right hon. Gentleman. I listened with interest to what the Leader of the House had to say about the Select Committee report on private business. I think that it would be wise for a debate to take place on this so that the House can pronounce judgment upon it.

Mr. Martin Redmond (Don Valley): On a point of order, Mr Speaker. Yesterday I raised a question about rules and procedures. While not wishing to cast any aspersions at all on the person who was in the Chair, I put it to you that the rules and procedures are clearly laid down and you are the custodian of them. I put it to you that if the rules are breached—I accept your statement that in this instance they were not—nothing that then follows can make that breach correct. I hope that in your ruling you will state clearly that if any such instance occurs in the future the rules will be followed, and it will be hard lines for either side of the House if the procedures are not followed.

Mr. Speaker: I can assure the House that I have considered the matter in great detail. My view is that the rules were followed. It frequently happens in a Division that the occupant of the Chair states, "I think the Ayes have it" or, "I think the Noes have it". The Chair may repeat that twice before the shout of "Aye". Nothing different occurred on Tuesday.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker. It is true that occupants of the Chair often say, "I think the Noes have it" or, "I think the Ayes have it." In fact, it is the sort of statement that is made quite regularly, as it was yesterday—not because there was any doubt, but because it was the phrase to use. It is not that the occupant of the Chair is not sure; it is just a statement. There were continuing votes yesterday right through until the early hours of the morning. The Chairman of Ways and Means used that phrase many times, not because there was any doubt, but because that is the way that things are done.

I asked you yesterday to listen to the tapes, Mr. Speaker. Some may say that "Erskine May" has nothing to do with tapes, but "Erskine May" is a very old instrument of our proceedings. We have tapes available, and anyone listening to a tape of that incident will realise that no Government Member, or any Member supporting the motion, said Aye. There was a distinct shout of "No" —*[Interruption.]* Listen to the tapes. There was a distinct shout of "No", with the result that the Chair said, "I think the Noes have it," in the traditional fashion, not in a doubtful manner. Members on the Conservative Benches recovered their senses, realised that they had lost the vote and shouted "Aye". I contend that at that point we had won the vote.

Mr. Speaker: Order. I know that the hon. Gentleman takes that view, because he said so yesterday. As my predecessors in the Chair have frequently ruled, *Hansard* is the official record, not the tape. On this occasion there was no discrepancy. The fact that no hon. Member shouted "Aye" on the first time of asking is irrelevant. The Chair's opinion that the Noes had it was challenged. There was nothing different about that procedure—it is followed every day and, indeed, was followed last night.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall take further points of order if the House is of the view that the immigration debate is of lesser importance. However, there is quite a demand from hon. Members to take part in that debate, which must end at 7 o'clock. The Front-Bench spokesmen are bound to take some time on it, and that will leave little time for Back Benchers.

Mr. Kenneth Hind (Lancashire, West): Further to that point of order, Mr. Speaker. I seek your guidance in the hope that we can finally put this matter to rest. Is it not correct that once the occupant of the Chair makes a correct ruling—as, in the eyes of my hon. Friends, Madam Deputy Speaker did the other evening—you have no power to review that decision? Is that not where the matter should rest? Once a decision has been made, it is final. It is the same for any referee involved in any activity.

Mr. Speaker: The hon. Gentleman is correct, and that is what I said to the House yesterday. However, I did undertake yesterday to have further discussions on the matter, and that is exactly what I have done.

Mr. Robin Maxwell-Hyslop (Tiverton): Further to that point of order, Mr. Speaker. It is important that a wrong ruling is not put on the record. The House should remember that Mr. Harold Lever was credited with having voted when he was not within the precincts of the House. When the matter was raised on a point of order the next day, Mr. Speaker Lloyd, after taking advice—and it was I who suggested that he did so—ordered that a correction be made in the *Journal*. It is not correct to say that if an error has been made it is incapable of correction. It can be corrected.

Mr. Speaker: Order. The hon. Gentleman is right in what he said about that incident; but it was not what occurred on Tuesday.

Mr. Frank Cook (Stockton, North): Further to that point of order, Mr. Speaker. I am grateful for your ruling, which has cleared away much of the vagueness in my mind —a vagueness which, I admit, is not uncommon. Two aspects still concern me and I ask for your further help.

As a member of the Select Committee on Procedure, I need to be able to speak with some clarity. My first point relates to the emphasis that has been placed on occupants of the Chair at other times and on other occasions. Great importance appears to be attached to the gathering of the voices. I have been directly involved on certain occasions and said "No" to a Government proposal. Business has continued and my "No" has been ruled out of order on the ground that I had not said it loudly enough. That appears to run counter to the ruling that you have just given.

Secondly, you said yesterday that you had no right to review the matter. Do we need your permission to take the matter to the Select Committee on Procedure? Would you be prepared to discuss it with that Select Committee?

Mr. Speaker: Order. It is not for me to do that. The hon. Gentleman is a member of the Select Committee and the matter is certainly within its terms of reference. Therefore, he should raise it.

Mrs. Ann Clwyd (Cynon Valley): Further to that point of order, Mr. Speaker. May I take you back to the events of the Felixstowe Dock and Railway Bill on 15 July 1986?

Mr. Speaker: Order. Is the hon. Lady's point of order on the same matter?

Mrs. Clwyd: Yes.

Mr. Speaker: Order. I am genuinely concerned about the business today. I say again to the House that I hope that I shall not be the recipient of letters from hon. Members saying how sad it was that they were not called to speak in the debate. I shall take the hon. Lady's point of order, but it must be relevant.

Mrs. Clwyd: I hope that it is, Mr. Speaker, as it appears to be a mirror image of what happened on Tuesday. On 15 July 1986 you were in the Chair and we were debating the Felixstowe Dock and Railway Bill. I moved a new clause on which a vote was called. *Hansard* records:

"**Mr. Speaker:** The Question is, That the clause be read a Second time. As many as are of that opinion say Aye.

Hon. Members: Aye.

Mr. Speaker: Of the contrary, No. I think the Ayes have it. The Ayes have it. The Question is, That the clause be added to the Bill. As many as are of that opinion say Aye.

Hon. Members: Aye.

Mr. Speaker: Of the contrary, No. I think the Ayes have it. The Ayes have it."

The problem was that the sponsor of the Bill, the hon. Member for Bury St. Edmunds (Sir E. Griffiths), did not shout "No". He then leapt up and said:

"On a point of order, Mr. Speaker. I was, of course, listening carefully to your calls from the Chair on new clause 2 to the Felixstowe Dock and Railway Bill. Due to the noise in the Chamber I was unable to hear the motion that was put. Consequently——

Mr. Speaker: Order. I put the Question very slowly and I was looking at the hon. Gentleman when I put it. I did not hear any objection to it."—[*Official Report*, 15 July 1986; Vol. 101, c. 952.]

As a result of your ruling that evening, Mr. Speaker, the debate had to be reconvened on 28 October. It is a mirror image of what happened on Tuesday, so I wonder why the ruling is different.

Mr. Speaker: Order. I do not know whether the hon. Lady was present, but when the Question was put on Tuesday both "No" and "Aye" were shouted—[HON. MEMBERS: "No, they were not."] I ask hon. Members to read *Hansard*. The Deputy Speaker said:

"The Question is the motion on the Order Paper.

As many as are of that opinion say Aye.

To the contrary No.

Hon. Members: No.

Madam Deputy Speaker: I think that the Noes have it.

Hon. Members: Aye.

Madam Deputy Speaker: Clear the Lobbies."—[*Official Report*, 9 November 1988; Vol. 140, c. 261-2.]

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Speaker. At 1 o'clock today, in line with what I understand to be the convention of the House, the hon. Member for Kingston upon Hull, East (Mr. Prescott), an Opposition spokesman, was provided with a copy of the King's Cross inquiry report, which was embargoed. I understand that that embargo was broken by the hon. Gentleman, who held a press conference and quoted extensively from that embargoed report.

I ask for your protection, Mr. Speaker. I understand that you protect not only Back Benchers, but Labour Front Benchers. If they cannot be trusted to take embargoed information and treat it as such, the Government should not provide them with the information. We need your protection, Mr. Speaker.

Mr. Speaker: That is a matter for the Government. I cannot be held responsible for what individual hon. Members do outside this Chamber.

Mr. Peter Snape (West Bromwich, East): Further to that point of order, Mr. Speaker. Will you and the House accept that when my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) met the press this afternoon, at no time did he make any reference to the embargoed report? Although the pledge from the Department of Transport was that the report would be available at 1.30, it was not available until considerably later, by which time my hon. Friend had written out the notes that he intended to impart to the press—*[Interruption.]*

Mr. Speaker: Order. Will the hon. Member complete his remarks?

Mr. Snape: Conservative Members are always too interested in scoring political points. My hon. Friend the Member for Kingston upon Hull, East rightly pointed out the discrepancies in the Government's stories of expenditure on London Underground Ltd., and the figures have been readily available for many years. Indeed, they were studied by many Conservative Members before they participated in the exchanges this afternoon. In view of what I have just said, I hope that the hon. Member will withdraw his remarks and refrain from making cheap party political points. He was not present, so, predictably, he does not know what he is talking about.

Mr. Speaker: Order. On that note, I think that we should move on.

Immigration Guidelines

5.10 pm

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. You will confirm that this debate is on a motion which states:

"That this House takes note of the draft revised guidelines for handling Members' representations in immigration cases."

I should be grateful if you would confirm that, if the House takes note of the draft revised guidelines, they carry absolutely no requirement for Members to observe them and are merely for the convenience of Ministers. Will you confirm also that if Ministers in the Home Office were to seek to impose sanctions on those of us who have absolutely no intention of observing the guidelines, we would be in order to call for your protection? I should be grateful if you would confirm the standing and status of the draft guidelines, because it is important that they should be clearly understood before the debate takes place.

Mr. Speaker: I am pleased to help the hon. Gentleman on that point. This is a take-note motion; it is not a motion to approve.

Mr. Sydney Bidwell (Ealing, Southall): I ask the House, Mr. Speaker——

Mr. Speaker: Order. Is this a further point of order?

Mr. Bidwell: I am not accustomed to raising points of order, Mr. Speaker, but it is to do with these proceedings. As you know, I have a more-than-average interest in the matter. I went to the Vote Office and obtained the Foreign and Commonwealth Office draft guidelines. I assume that we are also discussing the guidelines that were issued on 18 July. Both documents were issued on 18 July. For that reason, I want to know whether we are to have the presence of a Foreign and Commonwealth Office Minister, because we may wish to put direct questions to him as well as to the Minister with responsiblity for immigration.

Mr. Speaker: At this rate we shall not even have a reply from the Minister.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Mr. Speaker.

Several Hon. Members *rose*——

Mr. Speaker: Order. I say to hon. Members that it is unfair to their colleagues. Every hon. Member would like to have his say, but he must bear in mind the legitimate rights of his colleagues in the Chamber. It is now getting on for half-past 5. This debate must end at 7 o'clock.

Mr. Barnes: My point of order relates to the correctness of the *Hansard* report on the Associated British Ports (No. 2) Bill. From what has been said about the matter, and from what you have said, it is clear that there is no mention of the second vote being called for by the Second Deputy Chairman, yet that is supposed to be part of what has occurred. If that is incorrect, what happened when the vote was challenged and the Ayes were called may also be incorrect. You have heard the tapes. Will you confirm that that is what occurred?

Mr. Speaker: I have made a careful and considered statement on that matter. Will the hon. Member please read it? I think that he will find the answer to his question.

Mr. D. N. Campbell-Savours (Workington) *rose*——

Mr. Speaker: Mr. Campbell-Savours.

Mr. Campbell-Savours: I do not feel that it is necessary to address me with some contempt in the way that you use your voice, Mr. Speaker. The point is that there is a sense —*[Interruption.]* It is the truth. There is a sense of grievance on this side of the House over the fact that, on that occasion, there was no call from the Government Benches during the course of a Division. The Bill has slipped through, against the wishes of a majority of Members of Parliament as expressed. The Division took place after the business was over. The hon. Member for Brigg and Cleethorpes (Mr. Brown) did not shout in the same way as he did on a previous occasion. The hon. Member for Bury St. Edmunds (Sir E. Griffiths) also did not shout. In our view, the Bill should have fallen at that stage. Those who supported the Bill were given a second bite, and we believe that to be absolutely unfair.

There is a sense of grievance that remains on Opposition Benches, which is being talked about in the Tea Room, throughout the House, and throughout the Opposition. Even at this late stage, even though there is no precedent in "Erskine May", that Division should be overturned, and the majority view of the House as expressed before the Division was taken should be the one that holds.

Mr. Speaker: That is not the case. *Hansard* clearly shows exactly what happened. As I said in my statement, there were at least two occasions when I was in the Chair last night and I had to put the Question a second time for the convenience of the House in exactly similar circumstances. The *Hansard* record is absolutely clear. I have looked carefully at it again. I have further discussed it with the Deputy Speaker who was in the Chair at the time, and I have ruled that it is in order.

Mr. Terry Patchett (Barnsley, East) *rose*——

Mr. Dennis Skinner (Bolsover) *rose*——

Mr. Speaker: The hon. Member for Bolsover (Mr. Skinner) has already raised a point of order on this matter. He may not care much about his colleagues, but I ask him to have some consideration for them. I shall take Mr. Terry Patchett first.

Mr. Patchett: I am worried that the reputation and the democratic procedures of the House were tainted on Wednesday evening. I accept that the two Bills involved were complementary to Government policy, but the official Government Whipping tainted the procedure for private Bills, which left a nasty taste in the mouth of anyone who believes in the democracy of this House. For some reason or other, a "No" Division turned out to be an "Aye" Division. I do not understand it. The ruling taints the reputation and democratic procedures of the House. A "No" vote turned out to be an "Aye" vote. We voted against the motion. Conservative Members may say that a vote was taken, but the House voted not to go through the Lobbies. It was quite clear that there were no Ayes, but there were plenty of Noes.

Mr. Speaker: The easiest thing for me to do is to send my considered statement to the hon. Member, and he will see exactly what happened.

Mr. Skinner: On a further point of order, Mr. Speaker. What has characterised the last few points of order is that some hon. Members who mentioned the matter did not play a part in yesterday's proceedings, but have read *Hansard*. They listened to the tapes, but they were not involved in the debate. Right across the whole length and breadth of the Opposition there are people who have taken the view that something is wrong with that vote.

You have heard representations from a Tory Member who is well known with regard to procedure, and who has pointed out that corrections have been made. You have also heard my hon. Friend the Member for Cynon Valley (Mrs. Clwyd), who hitherto has not been involved and who told you about a mirror incident in relation to the Felixstowe Dock and Railway Bill, which was also a private Bill.

We are now dealing with a Bill that will aid and abet that evil regime of South Africa, and some of us will never let this matter drop. It should be looked at further, so I ask you, once again, Mr. Speaker, to listen to those tapes and to come back with a further report before the Session ends.

Mr. Speaker: I have already looked at the matter and have been into it in great detail. I have given my ruling. I call Mr. Renton.

5.31 pm

The Minister of State, Home Office (Mr. Tim Renton): I beg to move,

That this House takes note of the draft revised guidelines for handling Members' representations in immigration cases.

The draft revised guidelines were circulated to every hon. Member in July and copies were placed in the Library. I welcome this opportunity today—even at this late hour—first, to explain our reasons for the draft and, secondly, to outline what the effect of our proposals will be.

Across Government Departments there is a convention of long standing that hon. Members may make representations to the Minister concerned on behalf of a constituent. The House is understandably jealous of that convention. In immigration it played a particularly important role when no appeals system was available, but it has developed beyond that. Hon. Members' representations today are as likely to relate to outstanding applications as to unsuccessful ones. Equally impotant in immigration, an hon. Member's representation is no longer the only way in which an applicant is able to obtain redress. Since 1969 there has existed an appellate system. This is operated independently of the Home Office, as its transfer in April 1987 to the Lord Chancellor's Department has emphasised. It is an effective remedy; for example, in the last four years about 20 per cent. of appeals to adjudicators have been successful.

Because these two systems have developed separately, there are inherent contradictions in the way in which they operate. The current guidelines to hon. Members—which were introduced by my right hon. Friend the Patronage Secretary in a previous existence in 1986—seek to lay down some ground rules for the inter-relationship between the two systems. I believe that most hon. Members have found these guidelines of considerable assistance.

The guidelines have been a significant document in establishing a clearer understanding of the respective roles of the Department, the independent appellate authorities and the Minister. However, my right hon. Friend the

[Mr. Tim Renton]

Home Secretary and I are concerned to provide a more satisfactory service to hon. Members which, at the same time, enables Ministers to carry out their functions properly. We have looked, too, at the arrangements for hon. Members' "stops", particularly in the light of the new visa arrangements. That was the purpose of our review of the guidelines.

The present volume of hon. Members' representations is an important element. We received 18,000 letters from hon. Members in 1986 on immigration and related matters. Following the visa decision, there were some 13,000 letters in 1987, and the level of correspondence is likely to be the same this year. That means an average of some 250 letters received by my right hon. Friend the Home Secretary and myself each week. The implications of that are clear. Frankly, with that number of letters, Ministers cannot give detailed personal attention to every case. It is sometimes difficult to pick out the important case and give it the attention that it deserves.

Mr. Tony Marlow (Northampton, North): Will my hon. Friend give way?

Mr. Renton: No, if my hon. Friend will forgive me, I shall not give way because time is short and I think the House would like me to make progress so that as many as possible Back-Bench Members from all parties may speak. I hope that my hon. Friend will make his own remarks if he is able to catch the attention of the Chair.

Better arrangements are therefore needed. Our proposals relate, first, to correspondence and, secondly, to "stops". The draft revised guidelines make two changes in relation to correspondence: first, they make explicit for the first time what is our long-standing practice, that Ministers will not normally intervene to take the decision in outstanding entry clearance and after-entry applications.

There will obviously be exceptions to the normal rule. An hon. Member's letter may explain why an urgent decision on a case is needed, and I may be able to convey that decision in my reply. We shall, as at present, operate the system flexibly. But where there are no special considerations, my reply will simply indicate, as fully and helpfully as possible, where progress on the application now stands.

Secondly, the guidelines introduce arrangements to enable hon. Members to correspond direct with the immigration and nationality department on routine inquiries. This change addresses directly our concern to provide hon. Members and their constituents with the best possible service. I shall return to the arrangements for it in more detail shortly.

Our proposals for "stops" involve two changes. The first results from experience of the changes in permitted "stops" introduced in November 1986. At present, a "stop" in relation to a passenger refused entry because he did not have the entry clearance required under the immigration rules will be permitted only if there are exceptional and compelling circumstances. A "stop" for other passengers will be permitted where there is new and compelling evidence which was not available to the immigration officer. In both cases, the passenger has a full right of appeal from abroad.

Ms. Clare Short (Birmingham, Ladywood) *rose*——

Mr. Renton: With respect to the hon. Lady, I should prefer to get on. I suggest that she makes her remarks during the debate and hope that she catches your eye, Madam Deputy Speaker.

Because this appeal right is available, the change we therefore propose is that for any passenger refused entry, whether or not the immigration rules require him to have an entry clearance, a "stop" will be permitted only if there are exceptional and compelling circumstances which the immigration officer has had an opportunity to consider but has not taken sufficiently into account.

The effect of this change is that, in all cases, hon. Members will first need to be satisfied that there are exceptional and compelling circumstances which merit special treatment and, secondly, that the immigration officer must be given an opportunity to consider these special circumstances. This reflects the position in law that the power to give or refuse leave to enter the United Kingdom is exercised by immigration officers. With the final version of the revised guidelines, we shall provide hon. Members with fuller details of contact points at the ports and airports; immigration service officers at senior grades will normally be available to discuss cases of difficulty with hon. Members. If an hon. Member is satisfied that the exceptional and compelling criterion is met and that the immigration officer was aware of it before refusing a request for deferment of removal, he or she may contact my private office direct, or out-of-hours the Home Office duty officer, to request a "stop". I should emphasise that in all cases where an hon. Member wishes to request a "stop", he should contact my private office or the duty officer, not the port or the immigration department.

The second change again reflects the existence of an appeals system. It affects deportation cases and illegal entry cases which have been reviewed by the courts. All cases leading to deportation have rights of appeal, which are exercised before removal. Similarly, no illegal entrant whose case is to be reviewed by the courts is removed before that review is complete. We have therefore decided that where an appeal has been dismissed and the removal arrangements put in hand, it is wrong to continue to allow "stops" which require the Minister to review again, on the same facts, a decision on which an independent review has already taken place. In future, a "stop" in such cases will be allowed only where there is new and compelling evidence which has not previously been taken into account. The position on "stops" for illegal entrants whose cases have not been reviewed by the courts remains unchanged. The procedure will be the same as I have described for port "stops". My private office or the duty officer should be contacted direct if a "stop" is to be requested.

We are also proposing a common time limit for the submission of representations in "stop" cases. The time limit in the current guidelines ranges between 12 and five days. Because under the new system the hon. Member will have available details of the particular circumstances behind the "stop" request, we have set a time limit of five working days for the receipt of representations. Where the Minister upholds a decision to remove, the delay of four working days between the date of the Minister's reply to the hon. Member and removal remains unchanged. As at present, hon. Members should continue to contact the port direct where the issue is whether a passenger under refusal

should continue to be detained or be granted temporary admission. That is not a matter in which I would normally expect to intervene.

I mentioned briefly earlier the new arrangements to enable hon. Members to communicate direct with the Department if they wish. That is not a totally new idea. Hon. Members already write direct to local tax offices, local social security offices and so on. Many also already write direct to regional passport offices and I hope that they will continue to do so. We have, therefore, devised new arrangements so that hon. Members may, if they wish, write directly to the immigration and nationality department. Details are contained in the annex to the draft guidelines and the relevant telephone contact point will of course, be included in the final version of the guidelines.

Mr. Keith Vaz (Leicester, East): Will the Minister give way?

Mr. Renton: I hope that the hon. Gentleman will have an opportunity to make his observations in a speech during this short debate.

Much of hon. Members' routine correspondence may benefit from this approach. A random sample of one week's letters from hon. Members suggests that one third could well be routine inquiries. We envisage that it will provide a swifter and therefore better service for hon. Members on routine matters and, equally important, that it will free Ministers to deal with the difficult cases which merit careful scrutiny.

Hon. Members may also be aware that similar arrangements to those being set up at the Home Office will be introduced at the same time at the Foreign and Commonwealth Office. In answer to the hon. Member for Ealing, Southall (Mr. Bidwell), may I say that my hon. Friend the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office, who regrets that he cannot be present, wrote to all colleagues in July to give advance notice of these new arrangements. They will deal with routine inquiries from hon. Members about immigration applications made overseas. A special unit will be set up to handle these inquiries. It will, equally, remain open to hon. Members to make specific representations to FCO Ministers direct.

I should like to take this opportunity to announce an important proposal to improve the service that my Department provides to Members of Parliament and to members of the public.

Mr. Madden: The closure of Lunar house.

Mr. Renton: Not at all. Something rather different.

Hon. Members will be pleased to learn that the Government wish in principle to establish a regional public inquiry office in Birmingham. We have set in hand consultations with staff and their representatives with a view to recruiting and training personnel for the new office as soon as possible. I hope to be able to announce further details later in the year. I know that many hon. Members have in the past suggested a regional public inquiry office to help members of the public with their immigration problems. This announcement today will be welcomed by all who are anxious to see my Department provide an improved standard of service for those personal callers who wish to resolve their particular immigration problems over the counter.

In that context, I can tell the House that the benefits of the changes in the immigration rules, against which the Opposition foolishly voted earlier this year, are now beginning to show and that at Lunar house both the public inquiry office and the telephone inquiry bureau are offering a much improved performance. *[Interruption.]* We are taking active steps to recruit additional staff, and I am sure that the hon. Member for Bradford, West (Mr. Madden) will be the first to join me in sending good wishes from the House to all those members of staff and management who have worked so hard to make these improvements possible. We are taking active steps to recruit additional staff, including part-timers, and have started a major recruitment advertising campaign. At the same time we are introducing, wherever possible, improved working procedures to ensure that applications are processed as promptly as possible.

Finally, it is a parliamentary convention that hon. Members deal with their own constituency matters and not, save in exceptional circumstances, with one another's. We attach particular importance to that principle in dealing with immigration matters.

Ms. Short: But it is only a convention.

Mr. Renton: I referred to it as a convention. I recognise that some hon. Members have a particular specialist interest in immigration and that some people first arriving in this country with no links will not have an evident constituency Member and so are likely to approach the Member for the constituency in which they first arrive or first find accommodation, but these are exceptions to the general rule. My office will continue its practice of normally accepting representations only from the constituency Member. The draft revised guidelines remind hon. Members of this convention, and we have taken this opportunity also to record our practice that the constituency is normally interpreted as the constituency in which a person lives, rather than works, although obviously in many cases these may be the same.

I emphasise that the revised guidelines are in draft form. If points are made during today's debate, or if hon. Members wish to write to me about them in the next few days and it seems to us sensible to include them in the final version of the guidelines, we shall do so. These are sensible and balanced proposals aimed at giving a better service to Members of Parliament, consistent with immigration procedures and the independent appeal system. I recommend them to the House.

5.46 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): I cannot begin without saying how unsatisfactory it is that the House is left with an hour and a quarter to debate these matters. We had nine minutes of wholly legitimate points of order before we began. Had they not been put, we would have been left with one hour and 20 minutes. That is wholly unsatisfactory for debating a topic which concerns the rights and interests of hon. Members and, far more important, the welfare and perhaps the lives of men and women who seek entry to this country.

I shall be brief and not give examples to substantiate the general points that I shall make, but I assure the Minister that I, and no doubt my right hon. and hon. Friends, can

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provide examples to substantiate every one of the fears and doubts that overcome us when we consider these proposals.

I welcome the announcement that an office is to be opened in Birmingham. That is long needed, much appreciated and absolutely essential. I take it for granted that interviews will be held in Birmingham and that families living in that area will not be required to travel to Felixstowe or to London. I take it from the Minister's silence that that obvious reform is what he has in mind.

This is an arbitrary extension of the powers of the Government and, like all such arbitrary extensions, it is dressed up with the pretence that it is done solely to improve efficiency. That is the traditional excuse for authoritarian action which may be and often is crucially damaging to the interests of men and women who are entitled, even under the present rules, to enter this country, but who are wrongly prevented from doing so by the present method of immigration screening.

For the three categories particularly affected—immigrants refused entry, temporary residents threatened with removal and applicants facing long delays—it is often only the intervention of Members of Parliament which prevents them from being subject to unchecked action by the Executive. The object of a parliamentary system is to allow the legislature to check the Executive in matters of general policy and specific application. The only check that exists on the behaviour of the Executive in the specific application of immigration rules is for Members of Parliament to intervene in specific cases of visitors, asylum seekers and alleged illegal entrants.

It is no good the Minister saying that there is a perfectly adequate system of appeals which does not involve Members of Parliament and therefore Members of Parliament can in part be detached from the entire process. Many of the people who come to this country to visit relations are entitled to do so. Others are asylum seekers, in fear and at risk of their lives if they stay in their home country.

Some are visitors who have not overstayed but who are suspected of doing so. Such people are not best equipped to deal with the complicated Home Office bureaucracy and, if they are able to deal with it, they do so under two adverse circumstances. First, there is the intolerable delay. One of the main jobs of an hon. Member in this area is to try to speed up the Home Secretary and his Department. We all have letters from a year or more ago that tell us that the Home Office will reply as soon as practically possible. That is often 14, 15, 16 or 17 months later. The hon. Member's job is to find justice in terms of time.

Ms. Short *rose*——

Mr. Hattersley: I shall finish my speech quickly as I do not want to stand in the way of my hon. Friends who also want to speak.

The second reason why the intervention of the Member of Parliament is essential is that the appeal system does not offer any real redress to the majority of people who are found to be unsuitable in their application to enter but who should have been allowed in in the first place. Let us suppose that a man from Islamabad comes to this country for a religious festival or a wedding in—I pick an example at random—the Sparkbrook constituency. If he is turned away, it is no consolation to him to say that all he has to do is to return to Pakistan and appeal, and that he may be let in in a year and a half's time. The wedding will be over and it may be impossible to finance another trip after making an appeal. It is possible to appeal only after returning to the port from which the trip has been originally made. That is not an appeal in practical terms.

The Minister, in his circular and in his argument today, has failed to suggest that the general duty of Members of Parliament to intervene on behalf of constituents is in any way protected by the exceptions that are made in the circular. I shall not read them all, but we are told that Members of Parliament may have the opportunity to place a stop on immediate removal if he or she can demonstrate that there are exceptional and compelling circumstances or if there is new and compelling evidence, according to the different categories of intervention.

That is wrong in principle and unworkable in practice. It is the civil servant against whom we appeal who decides whether an appeal is possible. The matter goes to the Minister only by the good will and grace of the civil servant, so the idea that Members of Parliament have any rights in those matters is wrong.

I should like to give an example, which I think the Minister has heard about already. Two months ago, a professor of mathematics at a British university, whom I know only by reputation, was returning to London from a mathematics conference at McGill university in Canada. He discovered, to his delight, that he was sitting next to a professor of mathematics from an Indian university, who was renowned throughout the world as an expert in some branch of the subject. To the Indian professor's delight, the British professor said that he had four graduate students who would like to talk to him. He asked him to stay overnight and come to the university. The Indian professor agreed, but when he innocently got off the plane in London, he was arrested, incarcerated and told that, as he had no visa, he must return the following day.

I telephoned the Minister's private office and was told that it was not a matter for ministerial intervention. The Minister's private secretary said that the Minister was away for the weekend and could not be disturbed, but, after he had been disturbed, the message came back that it was not a suitable case for intervention by a Member of Parliament because there was nothing urgent about it—nobody was dying. I confess that I can think of compassionate cases, involving sickness or physical necessity, which are more urgent than that. However, the response from civil servants when we ask for ministerial intervention clearly makes nonsense of the idea that there are exceptions. We oppose the measures because the exceptions are vitiated by the fact that only the civil servant is allowed to decide whether an exception applies.

I want to speak briefly about correspondence with the Home Office. I intend to send all immigration letters to the Minister and I expect serious answers from him. I do not expect him to write to me saying that the matter has been passed to Lunar house. It is intolerable that Members of Parliament should be told that they are not entitled to receive the Minister's judgment. It is no good the Minister saying that the work is too much for him. The truth is that if we are dealing with any subject, other than ethnic minorities and the immigration of ethnic minorities, additional resources would be made available and there would be a Minister who was able to deal with the job as it went along.

Mr. Renton: The right hon. Gentleman is making a mountain out of a molehill. My right hon. Friend the Home Secretary wrote to him on 18 July and gave an undertaking that hon. Members will receive full replies directly from the Minister, if they specify that. The right hon. Gentleman knows that. However, once the guidelines come into effect, we shall obviously not feel able to intervene in any case where the guidelines indicate to the contrary. We shall, of course, provide to any hon. Member who writes to us the information that is available about the application and the stage that it has reached. I hope that that sets the right hon. Gentleman's fears at rest.

Mr. Hattersley: The Minister has done the opposite. He has referred to my correspondence with the Home Secretary, so I shall remind him of its terms. After a meeting with some of my hon. Friends, I went to the Home Secretary and said that in future we would write to him and we expected him to reply to us. He was courteous enough to say that he would reply. I give notice that I intend to take up and persist in that offer. I shall expect him to give genuine consideration to the letters rather than to write a Lunar house letter in another guise. My hon. Friends and I are not prepared to see the interests of our constituents subject to the inadequacies and inefficiency of Lunar house. I gladly join the Minister in extending good wishes—and sympathy—to the people who work at Lunar house. The problem is not the people who work there but the burdens that the Minister has placed on them with unnecessary and arbitrary immigration regulations.

Ministers have an obligation to satisfy hon. Members that their constituents' interests are being properly respected and looked after. I do not accept that a Minister should determine what is a routine matter and what is a matter of principle. It is quite routine to send a letter saying that one expected a reply a month ago or was promised a reply two years ago if one is expecting furniture to be delivered, awaiting the availability of a new car or inquiring about the time that it will take to tarmacadam a road. In immigration cases, timing is essential. We are not in a mood to be told that Ministers will not co-operate with such routine.

The drift of the Minister's proposals is more important than the details. In the past eight years, hon. Members have become increasingly detached from arguments about imigration cases, as the Government wish. An attempt is being made to exclude us from defending the rights of constituents. That is parallel with the Government's consistent determination to keep out greater numbers of legitimate immigrants and visitors and to pursue the casual overstayer—the innocent overstayer—with a severity that the misdemeanour does not warrant.

5.59 pm

Mr. Timothy Raison (Aylesbury): Having held the job that my hon. Friend the Minister of State holds, I should say that I greatly admire the patience, good sense and courtesy with which he carries out his ministerial responsibilities and that I believe that he is right to propose these changes.

It is absurd that literally thousands of cases should go to Ministers for their decision—especially visitors' cases in their present quantity. It is also absurd that Ministers should be regarded as a regular court of appeal against decisions made under the statutory appeal process. My hon. Friend is right to want to tackle the problem. It is like the Home Secretary being asked to decide thousands of cases on appeal against decisions in the magistrates courts. Ministers should not have to tackle problems on that scale, but that is what is happening with immigration cases at the moment, and it is right to try to get to grips with the problem. Ministers should be able to concentrate on the really important questions that will have a decisive influence on the life of the immigrant concerned. The enormous burden of less important cases makes it remarkably hard for Ministers to concentrate on such issues.

The question has always been: what should we do about the problem? I have to confess that in my time we failed to do anything effective and merely operated the system. In theory there was always the attractive option —an option favoured in the Wilson report—of setting up an immediate court of appeal or adjudication system that could pick up cases virtually the next day and decide whether immigration officers had made the right decision. We have to acknowledge that the scale of visitor entrance and the multiplicity of ports of entry have made that a practical impossibility, and we therefore need the kind of approach contained in the draft guidelines.

At this stage—the stage between the publication of the draft guidelines and the appearance of the final guidelines —my hon. Friend should consider one or two matters carefully. First, I do not entirely agree with the wording of the draft guidelines as they affect the philosophy of how to approach constituency cases. There is a firm convention in the House that we do not pick up each other's cases—certainly not without permission—but that is based on respect among hon. Members, and Ministers should avoid putting themselves in a position in which they may be seen to be policing that convention. I hope that my hon. Friend will think again about the present wording, which seems to me to imply—to a greater extent than is wise—that Ministers will determine this issue. I have never heard of Ministers in other Departments saying that they will not pick up a case because it comes from outside the constituency of the hon. Member concerned, and it would not be right for the Home Office to take that view. I do not think that such a change would undermine what my hon. Friend seeks to do, and I hope that he will think about it carefully.

Mr. Marlow: Will my right hon. Friend give way?

Mr. Raison: No. I shall follow the practice of not giving way.

Secondly, it should be made explicit in paragraphs 9 to 14 that, although the members of the Minister's private office will take certain actions' regarding removal or otherwise, they are at all times the servants of the Minister. The wording of that part of the guidelines seems to have a flavour of giving them a more free-standing role than is proper. It is only a matter of wording, but the Minister must always be responsible for the actions of his private office and there should be no doubt about that in the guidelines, although over the years successive Ministers, including myself, have been superbly served by those in their private offices.

I am not sure that I entirely agree with the statement in paragraph 10 that removal will be deferred only where there are

"exceptional and compelling circumstances . . . which the immigration officer has had an opportunity to consider but has not sufficiently taken into account."

[Mr. Raison]

It is right that the guidelines should contain such a provision, but if there is to be further consideration at all we should at least be prepared to consider factors that have not been considered by the immigration officer. The guidelines circumscribe too narrowly the conditions in which matters should be reconsidered. After all, the point of going to the Minister is to bring before him new factors not necessarily considered by the immigration officer.

Let me come to what is in many ways my most important point. The quid pro quo of a speeded-up system that rightly imposes fewer burdens on Ministers is that there must be an acceleration of the rate of handling of appeal cases. We all know that in many cases it takes far too long to deal with appeals. I know that my hon. Friend is very keen to improve the administrative machinery. He has taken a number of effective steps, and we were glad to hear his announcement today. Nevertheless, I hope that he will do all that he possibly can to ensure that the appeal process is speeded up. I know that much of the responsibility for that lies with the Lord Chancellor, but it is a matter for the Government, and it is a matter of great importance.

My hon. Friend did not touch on one aspect of the process which has concerned the House. Perhaps he can report on whether the new guidelines on asylum cases, which were very much improved after a good deal of discussion, are working satisfactorily.

Having said that, I believe that my hon. Friend is right to introduce procedures. I hope that he will think about the points that I have made but I shall certainly support him if there is a Division tonight.

6.6 pm

Mr. Robert Maclennan (Caithness and Sutherland): I was surprised to hear the Minister say that he proposed to introduce the guidelines with the intention of improving the service to Members of Parliament. I am not aware that hon. Members have shown any sign that they are dissatisfied with the service that they have had—in the sense in which the Minister has interpreted it. I should be interested to hear whether any of the proposals arise from recommendations made by hon. Members who have had occasion to deal with him frequently on immigration matters. The House feels that the changes in the guidelines have more to do with administrative convenience than with the strengthening of hon. Members' democratic effectiveness.

Immigration cases obviously are exceedingly difficult for officials to handle, and it can bring Governments into disrepute with foreign Governments if they are not properly handled. It is wrong to treat hon. Members as though they are in some sort of adversarial relationship with the Home Office and its Ministers and officials when they are seeking by their intervention to make the handling of a case more sensitive and to ensure that there is no miscarriage of justice.

The fact that rules are being tightened to reduce hon. Members' effectiveness and limit the circumstances in which hon. Members can intervene will transfer to hon. Members a considerable amount of work that should properly be handled by officials and Ministers. They are to be expected to make difficult judgments about whether exceptional and compelling circumstances exist which have or have not been taken into account in the quasi-judicial procedures. I believe that hon. Members' duties are properly discharged if they make a prima facie judgment, but what is now proposed is that hon. Members should establish—as though they were a court with the ability to sift and evaluate evidence—whether certain factors have been sufficiently taken into account. That is especially true in respect of visitors, those seeking asylum and illegal entrants. They are asked to judge whether there is new and compelling evidence.

I admit that the Minister did not have much time to explain the matter to us, but it appeared that he proposed to issue detailed information about what had happened in the judicial review, so that it would be possible for Members of Parliament to consider whether what they had been told was in fact a new point that should be taken into consideration. If that is the case, an extraordinary complexity has been added to the procedure, which, far from simplifying the process, will greatly complicate it.

I do not wish to repeat the points that have been well made by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), who speaks with more personal familiarity of these cases than me and many other hon. Members, but I wish to raise one or two points that he did not touch on.

In the case of a person seeking asylum, the Minister apparently will not agree automatically to defer removal where there is a safe third country to which that person may go. How is it to be determined what is a safe country? Is the Minister proposing to issue a list of safe countries? Is it to be countries that are subscribers to international conventions which show that they are suitable places for people to go to? I believe that, if it is a purely subjective judgment being operated by the official, it would be appropriate for Members of Parliament to intervene and give their appraisal. The Minister should not bind himself in advance, but should consider each case on its merits.

On the question of deportation and illegal entry, the Minister's prior decision to intervene only if there is new and compelling evidence appears to be unacceptably binding his hands.

The proposal that the procedures on stops should be exercised within five working days is impossible to present as one which is in the interests of Members of Parliament or those whom they are seeking to serve. In the light of the new heavier responsibility that the Minister is putting on Members to evaluate evidence, it will be much more difficult for them to do so if it has to be packed into that confined time. Speaking as one whose post and communications with Lunar house are perhaps more difficult than those of other hon. Members, I believe that the Minister should look very hard at that proposed reduction from 12 to five days. I cannot see what advantage there is in that.

With regard to the constituency Member and his role, it is a generally correct principle that hon. Members should not take up each other's cases, but exceptions to that should be recognised by the Minister. There are some hon. Members who almost as a point of principle will not take up immigration cases. It is bad for our race relations policy and for our relations with other countries if an individual is deprived of a right by finding himself in such a constituency. I hope that the Minister will take that point into account when interpreting his guidelines on constituency Members.

On the question of a direct approach to the

immigration and nationality department, I have no quarrel whatever with a facility being made available which hon. Members in some cases may feel is appropriate. If that reduces the burden of work on Ministers' Departments, that must be welcomed and justified. However, it must not take away the Member of Parliament's judgment whether that facility is the appropriate one to use in the circumstances. The Member of Parliament has a constitutionally important right to be able to call to account the Government through the Minister, and not for the action to be taken in his name by some junior departmental officials.

I recognise that the scale and volume of these cases is such that it is appropriate for the Minister to review the effectiveness of the existing rules, but the size of the problem is to some extent being diminished—partly through substantive changes in the law—and therefore it is not the appropriate time to change the guidelines in the manner recommended by the Minister. I was unhappy about the changes, and especially about section 5 of the Immigration Act 1988, which I believe is doing a number of people grave injustice in removing effective judicial review.

The Member of Parliament's stop is the only safeguard which exists to give an effective remedy to those whose right of appeal can be exercised only once they have left the country, which represents a substantial number of cases. That cannot be satisfactory, and the Minister must reconsider that.

6.16 pm

Mr. Patrick Ground (Feltham and Heston): I believe that the hon. Member for Ealing, Southall (Mr. Bidwell) and I are two of the most frequent correspondents with the Home Office on this subject. That has been confirmed informally, if not exactly statistically. I pay tribute to the Minister's private staff for the way in which they deal with these problems and the courtesy that they extend to hon. Members.

On the last occasion that the guidelines were discussed in the House, my principal anxiety was the large number of visitors with modest means who were arriving in Britain and being turned back at the airport, having been told that they could not afford to come for a holiday. That caused distress to many people. I am happy to say that, by and large, the introduction of the visa system has eliminated that misery at the airport, at least for those who come from the countries about which I am concerned.

My principal anxiety now is about marriages and fiancées joining their husbands-to-be. Undoubtedly there are bogus marriages between people who go off after the formalities have been approved by the Home Office; plainly they never intended to have a genuine marriage. However, I believe that there are substantial numbers of genuine relationships which are not getting through the system. If a marriage was proved to be genuine, either immediately or over a period, I would like it to be made possible for that couple to be able to surmount the hurdles presented by the Act.

It is absurd to say that Members of Parliament cannot get satisfaction from local offices and from individual departments. We receive many thoroughly satisfactory letters from DHSS offices and from inspectors of taxes, and I am prepared to try to get a satisfactory answer from the immigration and nationality department. If I do not, I shall be on to the Minister very quickly.

The matter which concerns me about the guidelines is the time limits, and especially the five-day time limit. Will the Minister ensure that the same conventions for time limits, which were agreed in the previous guidelines, are observed so that there is no change of administrative practice by his Department? It was only the willingness of his Department to accept a holding letter, when one could not get the full representations in within the five days agreed by his predecessor, that actually made the existing system in some cases tolerable. I hope that there will be no administrative changes. I associate myself with the arguments of my right hon. Friend the Member for Aylesbury (Mr. Raison), and I hope that consideration of them will continue.

6.19 pm

Mr. James Lamond (Oldham, Central and Royton): When the Minister introduced the revised guidelines today he presented them as though they were just and reasonable and were intended to assist hon. Members and perhaps, as a by-product, to assist himself because a burden will be lifted from his shoulders. I do not believe that that will happen. He should ask himself why he receives so many thousands of letters every year from hon. Members. It is because reality is much more stark than he would have us believe.

I want to use this opportunity to express my concern and the concern of many of my constituents who originated in the Indian sub-continent about the long delays that occur when dealing with applications for the entry clearance of their relatives.

I am sure that everyone would accept that someone legally settled in this country is entitled to have his wife and children, below a certain age, to join him here. Many of my constituents, however, face delays of months and even years on receiving decisions on applications they have made for their families to join them in Oldham.

Over the years those delays have built up to such an extent that I took one case to the ombudsman to see if he could investigate exactly what had happened. Some considerable time later the ombudsman prepared a report and submitted it to me. It informed me that the wife of Mr. Ali, the constituent concerned, was interviewed at the British High Commission in Dhaka on 23 April 1986—after the application had been made on 27 March. She was told that her husband would have to be interviewed in the United Kingdom before the matter could be dealt with properly. I received a letter from my constituent complaining about this on 27 March 1987, because, nearly a year later, no further action has been taken. In other words, his wife was interviewed and told that her husband would have to be interviewed here and yet, a year later, that had not happened.

I asked the ombudsman to consider the case, which he examined carefully. He outlined a catalogue of disastrous actions, which I would love to read out to the House, but I know that hon. Members would not want me to delay them. I hope that the Minister will consider the case. One of the examples given by the ombudsman was that the application had been placed on the wrong pile and did not reach the top of that pile as was expected at a certain time. He added:

[Mr. James Lamond]

"unfortunately at about that time the entry clearance officer had suffered serious family problems which had necessitated his absence from the office from July to September during which time no action had been taken on . . . the application. The Principal Officer said that the ECO's outstanding cases should have been taken over by another officer during the ECO's absence, but this seemed not to have happened."

It is all extremely loose and unfortunate, especially for my constituent. I have every sympathy for the entry clearance officer, who was facing some difficulties of his own, but I have just as much sympathy for my constituent. He had to wait a year between when his wife was interviewed and when he was interviewed to see whether she could join him with their children. That placed his marriage under some strain and caused him problems.

Although the Minister may have sympathy for my constituent, he may suggest, as was suggested to the ombudsman, that it was an unusual case. The ombudsman reported:

"The Principal Officer said that the Head of Immigration Section in Dhaka had every reason to believe that this had been an isolated case"

It is not an isolated case. I asked the Oldham council for racial equality to find some similar examples and I could give details of the cases it gave me, but time is short. They include people who were interviewed in Dhaka in the middle of 1986. The second interview of the relatives, to be held in Liverpool, was delayed for eight months. A further interview was required, but that suffered an 11-month delay. Between the three interviews, 20 months had elapsed. After two years had passed no decision had yet been reached. That is not the isolated case of which the ombudsman spoke; it is just one of many cases that can be substantiated.

When the Minister speaks about trying to help us and helping himself, he should think about the people we should help—those people who wait months, even years, for their wives and children to join them. Let us do something to expedite their cases. To suggest that the best thing to do is to write to Lunar house is nonsense.

6.27 pm

Sir Dudley Smith (Warwick and Leamington): The proposals are sound and sensible, and I believe that they should have been implemented long ago because the system was becoming increasingly unsatisfactory and often abused. Few hon. Members would not agree.

I have been as guilty as anyone in seeking stop notices on arrivals, often without being in possession of the full facts. I did it because it was expected of me. Any hon. Member who was approached in those circumstances had to give good justification for not asking the Minster or his office to intervene. It was well known that a stop notice was practically automatic—that is what happened if an hon. Member was co-operative. Because of the weight of correspondence to which my hon. Friend the Minister has referred, people were coming in illegally and staying five or six months before the Home Office dealt with their case.

I am amazed by the dedication that has been shown by my hon. Friend, by his predecessor—the Government Chief Whip—and my right hon. Friend the Member for Aylesbury (Mr. Raison) who all spent hours and hours on the cases. Given the weight of correspondence imposed upon them, it was impossible for any human being to reach the right judgment in every case. Therefore, the guidelines are right.

The Minister is correct to talk about the need for exeptional and compelling circumstances because we must be able to make representations on those cases which we genuinely believe to be worthwhile. I have had two or three cases recently when my hon. Friend has taken into account those circumstances. They have not all been coloured immigration cases.

Ms. Diane Abbott (Hackney, North and Stoke Newington): What colour were they?

Sir Dudley Smith: I can talk about this because I represent an area of high immigration. I want to see justice for those who genuinely want to bring in people who have a right to enter. This issue cuts right across the world. My hon. Friend frequently brings his judgment to bear on compassionate cases, and we are grateful for that.

I wish to sound a note of dissent. I am not sure about this business of writing to Lunar house, except in highly technical cases. People outside this place have a touching faith in Ministers' ability to get things done. As a Member of Parliament of some experience, I have found that if I go to what they regard as second best they will ask me why I did not approach the Minister if they are turned down. So I might have to go to the Minister in the end, anyway. We must certainly reserve the right to approach him if we have any doubts about a case.

In other respects these guidelines are sensible and I hope that they will be ratified. I think they will work smoothly.

6.31 pm

Mr. Keith Vaz (Leicester, East): The Minister comes before the House as living proof of the Government's incompetent handling of immigration policy during the past 10 years.

On 16 November 1987 the Home Secretary came before the House to tell us that the Immigration Bill, which became the Immigration Act 1988, would provide a better customer service. Let us quickly examine the record: it is a catalogue of incompetence.

At Lunar house, 267,000 letters lie unopened. That has earned the condemnation of the Home Affairs Select Committee, which described events at Lunar house as scandalous. There are delays in dealing with applications for naturalisation of up to two years. It takes nine months for a person wanting to join a spouse here to be interviewed in posts abroad. This year 77,000 passports were at Lunar house until the Minister discovered them, started to photocopy them—not in person—and sent them back to applicants. People have to wait for up to a year for applications for dependants to be considered.

The Immigration Act 1988 came into force on 1 August this year, further restricting the rights of appeal of citizens of this country and of those seeking to come here, and breaking promises made by successive Labour and Conservative Governments. Yet, in his letter of 18 July to hon. Members, the Minister said, in paragraphs two and four, that he intended to provide a better service for hon. Members. We did not believe the Home Secretary last year and we do not believe him now.

A fundamental shift in the rights of Members to intervene in immigration cases is being proposed. Since my

election last year as the Member for Leicester, East, I have taken up more than 4,500 immigration cases. I give a third of my parliamentary salary to employ an extra person in my office just to deal with those cases. Each week I send on average 25 letters to the Minister's private office. They do not inquire after his good health; they are inquiries about applications for leave to remain and about delays in cases. Every letter is vital to the people who come to my surgeries and who live in my constituency and in those of other hon. Members. These people have an absolute right to go to see their Members of Parliament, and Members have an absolute right to contact the Minister and expect a reply.

The Minister is trying to transfer the correspondence from his office to Lunar house, which has often been affectionately called Loony house by my hon. Friend the Member for Bradford, West (Mr. Madden). And what is happening at Lunar house? Two hundred and sixty seven thousand letters lie unopened, the morale of members of staff is low, there are delays, and there is chaos. Apparently, the ability of the immigration service to hold on to staff at Lunar house is so limited that they are losing them daily to the insurance companies in Croydon.

I join in the tributes paid to the Minister's private office, which I have found extremely helpful. When I ring the office, Colette, Sharon, or Trixie or Dixie, or whoever works there, are helpful, and we come to know the people we are dealing with. When we visit the Minister's office we know that his private office lies just outside his door and that members of staff are present to consult him on matters of importance. I do not want to write to Lunar house. I shall join my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) in continuing to write to the Minister.

I welcome the establishment of an office in Birmingham. It would be nice to have a local immigration and nationality office in Leicester, Bradford or Manchester. On the analogy with local tax and DHSS offices, it would be useful to have these offices in our constituencies.

I do not think that the Minister understands the hardship and distress that people undergo queuing at Lunar house or going to the passport office and waiting for a response. I, too, deprecate the idea of removing our right to intervene and stop the removal of people who enter this country. Under these guidelines, anyone who enters the country, visa national or non-visa national, cannot have a Member of Parliament intervene on his behalf unless he can demonstrate exceptional and compelling circumstances. That is a matter of grave importance.

The Minister tells us that we can always contact the out-of-hours telephone number, which I have done several times. When I ring it, I do not speak to the Minister. I get a civil servant who then contacts another civil servant at the airport—and they make the decision.

I have tried to get in touch with the Minister about matters of importance during the summer recess and at times in the parliamentary Session when he is globe trotting in his other guise as the Minister with responsibility for broadcasting. When attempts have been made to contact him, he has not been able to give us a reply. In one particular case, the Minister had gone on holiday to an island in the Outer Hebrides and was not contactable. His private secretary informed me that there was no way in which I could contact the Minister but that they would send a helicopter to drop his box. Apparently, there was no one else on the island and there were no telephone communications with it. The Minister failed to read a document that was dropped in the box, so the person concerned spent an extra week in custody at Heathrow.

I do not intend to honour the guidelines telling us not to intervene in the cases of people who live in other constituencies but come to us because their Members are not sympathetic. I have given notice to the hon. Member for Northampton, North (Mr. Marlow) that I am raising this matter about him this evening. It concerns a case of a month ago and a person who lived in the constituency of the hon. Member for Northampton, North. This person went to see the hon. Gentleman to ask him to put a stop on the departure of another person. The hon. Gentleman refused, so this person went to my right hon. Friend the Member for Sparkbrook, who put a stop on the departure. The person then came to me, and I did, too.

The hon. Member for Northampton, North was so furious that he rang the Minister's private office and said that he refused to accept any other stops and that the person would have to leave the country. These guidelines mean that people who live in constituencies with unsympathetic Members become the prisoners of the prejudices of those Members. People should not be put in that position.

I am not prepared to accept the time limit of five days. It is utterly impossible to process representations within that time. If a stop is put on, for example, on a Sunday evening, I come to Parliament on a Monday and my first opportunity to see my constituent would be on the Friday of the week following the stop, by which time five working days would have been completed. These are complex matters; people may require the intervention of linguists who speak, for example, Punjabi or Gujurati. We must ensure that they get more advice——

Ms. Abbott: Does my hon. Friend agree that five working days are particularly problematic in the cases of people who seek asylum as refugees? I have often had to make inquiries abroad about people who are fleeing and five working days are not enough time in which to do that. The risk then is that people may be sent back to death or torture.

Mr. Vaz: I agree. These cases are complex and cannot be dealt with quickly—that is what the Minister tells us in his replies. He says that there must be investigations, meetings and interviews. That cannot be done in five days. I shall not honour this time limit; I shall stick to the original limit of 12 days and supply my representations in that time——

Mr. Madden: The Minister laid great emphasis on setting time limits within which hon. Members must make their representations. My hon. Friend has illustrated the long delays that our constituents suffer, as did my hon. Friend the Member for Oldham, Central and Royton (Mr. Lamond). Does my hon. Friend agree that it is now imperative that the Home Office sets time limits on its own considerations, and the Foreign Office does likewise?

We and our constituents are suffering from the unacceptable delays to which my hon. Friend has referred. Time limits are to be set on Members. Time limits on Ministers are long overdue.

Mr. Vaz: I agree with my hon. Friend. The Minister may find that the guidelines are challengeable in the courts

[Mr. Vaz]

and that they will result in the abrogation of his responsibility as the Minister responsible for immigration. In my view, it is open to people to challenge the guidelines on the ground that they fetter the Minister's discretion to intervene. Much could have been done to improve the service. The recruitment of more staff, the allocation of more resources and assurances that immigration officers would act quickly in dealing with cases would be more helpful than restricting the rights of hon. Members to intervene.

How many people did the Minister consult before he came to his decision about the guidelines? How many law centres, Members of Parliament and people associated with immigration matters did he consult? He came to Leicester recently and attended a luncheon given by Leicester Inner City Conservative Association. In a letter dated 24 August the association said:

"We are extremely fortunate to obtain the services of Mr. Timothy Renton, M.P.".

The association proposed to charge £8 per head for the luncheon, but nobody wanted to go to see the Minister and the association had to offer free meals.

The right of hon. Members to intervene in immigration cases is a lifeline to many of my constituents. Hundreds of thousands of people in this country and abroad look to their Members of Parliament to intervene in this way. I do not know whether the House realises it, but yesterday in all parts of Britain we celebrated the festival of Diwali, the festival of light. It is a very important Hindu festival, but many people could not take part in celebrating it because they are anxiously waiting for husbands, wives, children or other dependants who are locked into the bureaucracy of the Home Office and the Foreign and Commonwealth Office.

Today the Government say that the time limit will be five days. Next week they will say it is to be 24 hours and then they will abolish it completely. I hope that hon. Members from all parties will join us in refusing to allow our rights to be abrogated in this way and will help us to ensure that this lifeline is retained for our constituents.

6.42 pm

Miss Ann Widdecombe (Maidstone): I am grateful for the opportunity to speak in the debate, and I shall be brief because we look forward to hearing the Minister's reply.

I welcome the guidelines. It is essential that the Minister should have time to give proper consideration to exceptional cases, which require his discretion or which contain anomalies that need to be properly examined. He cannot be expected to do that if at the same time he is expected to give his individual and personal attention to routine inquiries.

If the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) carries out his stated intention of continuing to send anything and everything to the Minister, cases that require time, ministerial intervention and careful consideration will suffer. I do not understand why hon. Members handling immigration cases should think that they should be able to handle them in a way that is different from the handling of other cases. If a constituent comes to see me or telephones about a tax problem, I do not rush off to my right hon. Friend the Chancellor. If a constituent telephones about a social security problem, I do not go to my right hon. Friend the Secretary of State for Social Security. I go to my right hon. Friends only when I am fully satisfied that I cannot get the matter resolved expeditiously and satisfactorily at a different level. I expect to have to react in the same way to immigration cases.

Mr. Bernie Grant (Tottenham): Will the hon. Lady give way?

Miss Widdecombe: I am sorry, but there is not enough time.

The right hon. Member for Sparkbrook said that this was an authoritarian measure. I can imagine few things more authoritarian than an hon. Member being able to intervene arbitrarily in the procedures and course of justice and put on a stop, even though that hon. Member has very little information. It is right that hon. Members should take the responsibility that the hon. Member for Caithness and Sutherland (Mr. Maclennan) felt they should not have to take. Hon. Members must satisfy themselves that they are intervening with just cause, and not merely for the sake of it and automatically. If the guidelines encourage a greater sense of responsibility on the part of hon. Members and greater efficiency and discrimination in the Minister's office, they will be most welcome. I support them.

6.45 pm

Ms. Diane Abbott (Hackney, North and Stoke Newington): Conservative Members have asked why hon. Members should have more rights in immigration matters than in matters affecting taxation or whatever. I shall enlighten them. Immigration matters are nearly always matters of life and death and of extraordinary personal significance. We intervene on behalf of people who fear that if they are deported they will face death. We intervene on behalf of children and grandparents coming to visit their families, sometimes because of sickness or because a member of the family may be dying.

Immigration matters require greater powers of intervention by hon. Members because the personal issues involved are of such serious moment and, increasingly, because the decisions by immigration officers at ports of entry are arbitrary and unfair. In such cases we are the only recourse. Week in, week out, I have to deal with people who have been stopped at the airport because the immigration officer thinks that they are not coming here for a holiday. The immigration officer does not have to prove his case, and people are just sent back.

If Conservative Members did the work on immigration cases that my hon. Friends and I do they would understand the seriousness of the issue. The only substantive reason given by the Minister for altering the guidelines is that hon. Members are putting on too many stops. He said that there was too great a weight of correspondence. I and my hon. Friends argue that if the only problem is too great a weight of correspondence, why does the Minister not make more staff available to deal with the correspondence? It is no part of the job of a responsible Minister to curtail human rights on the basis that too many people are exercising those rights. It is wholly illiberal to curtail people's rights on the basis that too many are seeking to exercise them.

Many times in his speech the Minister said that the Government wished to provide a better service. The guidelines will not provide a better service; they will simply mean that many more people will be turned away at the

ports. We would not have to exercise the right of stop so often and at such an increasing rate if it were not for the increasing number of apparently arbitrary decisions by immigration officers at the ports.

The Minister claims that he wants to provide a better service for our constituents and for people seeking to visit their families. If the Minister is anxious to improve the service and human rights, especially in the case of refugees who had their right of appeal curtailed in legislation presented earlier this year, then, even at this last minute, he should withdraw these rules which thoroughly interfere with the rights of hon. Members and provide the staff to answer our queries.

6.49 pm

Mr. Kenneth Hind (Lancashire, West): I am grateful for the opportunity to participate briefly in this debate. I am also grateful to my hon. Friend the Minister for the courtesy and speed with which his Department has handled difficult asylum cases involving citizens from Romania and the Communist bloc and north African workers in my constituency.

I wish to focus on one point that has arisen from the debate. We want people to come to this country from abroad and we are keen to encourage the tourist industry, but we must bear in mind that entry into this country is a privilege, not a right.

As Members of Parliament, we should consider our role in examining the cases of people who wish to come to this country and remember that we are not the final arbiters. We can merely plead one side of the case.

I have often received touching accounts of difficult situations, which I have put to Ministers, and argued cases in court, but that is not the whole of the matter. There is often another side to the case. It is for those people charged with the arbitration of those matters to decide such cases. This country has one of the fairest systems in the world. Nowhere else in the world is one allowed an appeal against a refusal of a visa and an appeal against a refusal of right of entry. We must consider our role in that light.

Members of Parliament can play an important role. I am glad to have played that role and been of help to some of my constituents who have found themselves in difficult circumstances because they have been refused entry to this country. However, if some of us refuse to co-operate with the system, it will break down to an even greater extent than has been suggested by the hon. Member for Leicester, East (Mr. Vaz). It will create chaos and give some people a privilege. The Home Office's operations will come to a stop while a person's case is taken out of the file and submitted to my hon. Friend the Minister, who will then write a letter. The case will then go back in the file, but, in the meantime, progress on all other cases will be halted. Cases will not, therefore, be handled fairly.

Mr. Hattersley *rose*——

Mr. Hind: The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) will tell the House, "I do not care what the Government decide or what system is put forward. I have no intention of co-operating with it." I say shame on him. It is grossly unfair to constituents of both Conservative and Opposition Members.

Mr. Hattersley *rose*——

Mr. Hind: This is a fair system. I welcome it and hope that it will work. I am sure that we shall do everything to make it work, but I cannot say the same for Opposition Members.

6.53 pm

Mr. Sydney Bidwell (Ealing, Southall): I must, of necessity, be brief, but I wish to give one example of an inhuman attitude by an immigration officer in Delhi. The Foreign Office reconsidered the case—a chap who wanted to come to his brother's wedding—but said that he could not come because he had a farm 170 miles from Delhi and only a 16-year-old son to leave in charge of it and he did not know the name of the bride in Britain. That was given as sufficient reason to refuse him entry for a visit.

The appeal process is a farce because the purpose of the visit has long passed by the time the appeal is heard. We have heard a great deal about these matters from Conservative Members and even more from Opposition Members who are deeply involved. The right hon. Member for Aylesbury (Mr. Raison), a former Minister who dealt with immigration matters, showed that all is not right. The immigration system is inhumane. It is subject to considerable delays and needs a thorough overhaul. Hon. Members are right to protest. Those who apply for entry to this country, whether black, brown or white, should be treated by hon. Members in the same way as they treat their constituents.

6.55 pm

Mr. Renton: This has been a short but worthwhile debate. I am grateful to hon. Members for the sensible points that they have made regarding a matter that relates directly to hon. Members' conventions and privileges. I appreciate the realistic view that some hon. Members, particularly Conservative Members, have expressed about representations and what they can achieve, and I shall reflect upon all the comments that have been made. We shall shortly publish the guidelines in their final form, with a view to implementation on 3 January 1989, and we shall ensure that all hon. Members receive clear advance notice of that.

I wish particularly to thank my right hon. Friend the Member for Aylesbury (Mr. Raison), who has great knowledge of this subject, my hon. and learned Friend the Member for Feltham and Heston (Mr. Ground) and my hon. Friend the Member for Warwick and Leamington (Sir D. Smith) for their support of the draft guidelines and for the messages that they asked me to pass on to my private office, which I shall certainly do.

I wish to deal with the point raised by my right hon. Friend the Member for Aylesbury about the UKIAS referral system for dealing with asylum applications in this country. I am pleased to be able to tell him that the revised system, which came into operation on 1 September, is running smoothly and in a good co-operative spirit. As he will know, we consulted carefully and at great length about this with both UKIAS and the United Nations High Commissioner for Refugees.

There is no guarantee that any individual case will be referred to UKIAS, but it is expected that referral will be the norm. So far, only a handful of cases have been referred to me, as the Minister involved, where UKIAS and our immigration service have not been able to agree on the appropriate treatment of the refugee applicant. So far,

[Mr. Renton]

that is working well. I hope that the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott), who raised that matter with me, will take comfort from that answer.

My right hon. Friend the Member for Aylesbury raised the difficult question of receiving representations only from constituency Members. We should not have hard and fast rules about that.

Mr. Bernie Grant: Will the Minister give way?

Mr. Renton: I cannot give way to the hon. Gentleman.

When my right hon. and learned Friend the Patronage Secretary introduced his guidelines, there were no hard and fast rules on the subject. If my right hon. Friend reads the new draft carefully, he will see that there are no hard and fast rules now, but it is a difficult matter. He will realise that a constituency Member finds it extremely irritating to discover that another Member has taken up a case involving one of his constituents in which he has declined to intervene because he did not think the case was good enough, after having looked into it and discussed it with the immigration service.

Mr. Grant: Will the Minister give way?

Mr. Renton: No. I have told the hon. Gentleman that I will not give way.

The constituency Member finds that another hon. Member has taken up the case, is in touch with my private office and is requesting that the removal be deferred. We shall continue to operate tactfully and carefully in this matter.

The hon. Member for Oldham, Central and Royton (Mr. Lamond) raised a difficult point, which worries many people, about delays in immigration service interviews. Priority is given to entry clearance interviews, but some delays may occur during peak periods. With improved working procedures, we are trying to shorten those delays.

We heard nothing tonight from the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) about what he would do to improve immigration procedures. However, that is typical of his attitude to those problems —all words, all opposition and no constructive suggestions.

Meanwhile, we will continue to improve procedures at Lunar house and services to Members of Parliament. That is why I recommend the draft guidelines to the House.

Question put:—

The House divided: Ayes 240, Noes 165.

Division No. 486] **[7 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Bright, Graham
Brittan, Rt Hon Leon
Brooke, Rt Hon Peter
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carrington, Matthew
Carttiss, Michael
Cash, William
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Miss Janet
Forman, Nigel
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hind, Kenneth
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Irvine, Michael
Jack, Michael
Janman, Tim
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Page, Richard
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Smith, Sir Dudley *(Warwick)*

Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Alan Howarth and
Mr. Kenneth Carlisle.

NOES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Hefler, Eric S.
Hinchliffe, David
Holland, Stuart
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Janner, Greville
John, Brynmor
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McCartney, Ian
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Cook and
Mr. Robert N. Wareing.

Question accordingly agreed to.

Resolved,

That this House takes note of the draft revised guidelines for handling Members' representations in immigration cases.

Points of Order

7.13 pm

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Deputy Speaker. There is, as you know, a convention that if hon. Members are to be referred to in a debate, they are told in advance that that will happen. I understand that I was referred to in the previous debate. I also understand that it was said that I had been told that I would be referred to. That is not the case.

I tried to find out what had been said about me and, from what I understand, it was basically total nonsense. My position is the same as that of any right hon. or hon. Member. If I am approached by a constituent, I will look into the matter carefully and take great pains to do what I should for him. As you are aware, the guidelines say that if there are new, exceptional and compelling circumstances——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman cannot now seek to make the speech that he might have made had he been here for the previous debate. The House is aware of the point made by the hon. Gentleman. The Chair regrets any lapse in the normal courtesies of the House.

Mr. Keith Vaz (Leicester, East): Further to that point of order, Mr. Deputy Speaker. I informed the hon. Member for Northampton, North (Mr. Marlow) that I intended to mention him in the debate. I wrote the note myself and, because I was participating in the debate and could not leave the Chamber, the note was given to my hon. Friend the Member for Hackney, North and Stoke Newington (Ms. Abbott) and she put the note in the hon. Gentleman's pigeon hole. If he does not clear his pigeon hole or look at his correspondence, I am not responsible.

Mr. Deputy Speaker: Order. The House should not be discussing pigeon holes.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. We must have one point of order at a time. That matter has now been adequately explained.

Mr. Alfred Morris (Manchester, Wythenshawe): On a point of order, Mr. Deputy Speaker. Are you aware of the difficulties that right hon. and hon. Members have had in obtaining information about the allocation of time for the numerous outstanding amendments to the Housing Bill, which we are to debate tomorrow? The Clerk of the House and his colleagues were most helpful in dealing with inquiries. I have just been told that a copy of the allocation of time motion will be made available to me. Whether it was known that I would be raising a point of order, I cannot say. Is it not a serious inconvenience to right hon. and hon. Members, and a discourtesy to the House, that the motion on the allocation of time was not made available earlier? Is there anything that you can do to assist us?

Mr. Simon Hughes (Southwark and Bermondsey): Further to that point of order, Mr. Deputy Speaker. I and people in my office have been making inquiries about that matter during the day in order to find out about the Government motion, which may now have been laid in the Table Office. As the Leader of the House is present, it would be helpful if he could tell us whether the Government motion has now been laid in the Table Office, or, if not, when that is likely to happen. As the debate is occurring on a Friday, the allocation of our own time needs to be planned in advance. A statement would be helpful.

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): Further to that point of order, Mr. Deputy Speaker. The motion has either been tabled or will shortly be tabled. If hon. Members want to know the terms of it within the next few minutes, they can obtain the information from my office.

Mr. Frank Haynes (Ashfield): On a point of order, Mr. Deputy Speaker. I am only trying to be helpful to the Chair. I do not often raise points of order, but the hon. Member for Northampton, North (Mr. Marlow) causes trouble in the Chamber by shouting and yawping from his seat and often has to be pulled up by the Chair. There are times when I mention him and do not inform him, because he breaks the rules of the House.

Mr. Deputy Speaker: If that is helpfulness from the hon. Gentleman, I shudder to think what I will hear when he is not being helpful.

Mr. Keith Bradley (Manchester, Withington): Further to the brief statement made by the Leader of the House, Mr. Deputy Speaker. Hon. Members who served on the Housing Bill Committee are wondering how we will deal with the 240 Lords amendments that remain to be dealt with tomorrow. I press the Leader of the House to make a firmer statement to the House on what the timetable will be, or to make it available immediately.

Mr. Deputy Speaker: I do not think that the Leader of the House can do that. He was responding to a point of order, which has now been met. The hon. Gentleman is asking the Leader of the House to make a statement, for which there is no provision.

Mr. Ian McCartney (Makerfield): Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I made it clear that it was not a point of order.

Mr. McCartney: I do not agree with you, Mr. Deputy Speaker.

Mr. Deputy Speaker: Many hon. Members disagree with the Chair, but the Chair must make the rulings and decisions.

Northampton Bill [Lords]

Order for Third Reading read.

7.20 pm

Mr. Michael Morris (Northampton, South): I beg to move, That the Bill be now read the Third time.

The Bill is promoted by Northampton borough council and has the unanimous support of the Conservative party, the Labour party and the Social and Liberal Democratic party. It covers a number of miscellaneous matters of local interest. One of the main parts of the Bill responds to public demand in Northampton to continue for a period rights of burial in a cemetery where loved ones have booked a place. Those rights are about to expire. Unless the Bill is passed, many bereaved families will be unable to bury their loved ones properly.

The Bill rationalises certain local charities and modernises the law relating to local freemen. It also repeals certain spent enactments. The Bill has completed its passage through the House of Lords and has completed all its stages here, except Third Reading. No objection was taken to it during previous stages, and the Bill went to an unopposed Bills Committee. The promoters respectfully submit that the Bill should be given its Third Reading.

7.22 pm

Mr. Andrew F. Bennett (Denton and Reddish): My name appears on a blocking motion to the Bill, so perhaps I should say a few words about it.

I and several of my hon. Friends have been blocking private business for the past few days to draw attention once again to the need to reform the private business procedure. A Joint Select Committee reported on the private business procedure and made some sensible proposals. It is important that the House should be given an early opportunity to discuss that report. We hope that the Government will provide an early opportunity to amend the Standing Orders for private business. My intention in tabling the blocking motion is to persuade the Government that we should have a debate on this subject at an early stage.

Having tabled the blocking motion, I received a letter about the Bill which illustrated the need to reform the private business procedure. I suspect that, with the exception of the hon. Members for Northampton, North (Mr. Marlow) and Northampton, South (Mr. Morris), the majority of hon. Members know little about the detailed circumstances of Northampton. Therefore, we are not best placed to pass legislation dealing with Northampton. Local provision should be made in Northampton, without recourse to a Bill in the House. The private Bill procedure does not allow the people of Northampton to influence this legislation. Matters are quickly taken out of their hands and put into those of hon. Members.

I had assumed that the Bill was not opposed, because it went into an unopposed Committee. I had assumed that it was a measure that everyone in Northampton wanted. However, I received a letter from the secretary of the Kingsthorpe Grove Allotment Association, D. F. Randall, who said that the Bill was advertised last year for presentation to Parliament in the 1987-88 Session and, as is required under the private Bill legislation, a notice appeared in the *Chronicle and Echo* in Northampton on 10 December. It stated that any local people who objected to the Bill should make representations about it. He said that objections had to be made over Christmas, which was not convenient for many people. It was felt that local residents did not have a good opportunity to make representations about the Bill before it came to Parliament.

The writer says that the association had contacted the chief executive of Northampton council asking for explanations about clauses of the Bill, but did not receive a satisfactory reply, which is deplorable. I have no way of checking whether that is accurate, but the writer says that, despite requests for information, the chief executive was unwilling to meet the association to discuss the matter.

The association has experienced considerable difficulty in discovering what is contained in the statutes that are to be repealed. I am not in a position to judge whether the secretary of the association or the chief executive is right in these matters, but I should like an assurance from the hon. Member for Northampton, South that the repeal of 11 local Acts will not lead to a loss of local footpaths or rights in the area. That is the burden of the letter from the secretary of the association and from two other people in Northampton.

Those local Acts go back to the fourth Bill of the reign of Henry VII and An Act for the Convent of Saint Andrew in Northampton. Most of them conferred a right of way and access to commons in Northampton. It has been suggested to me that by passing this legislation those rights and footpaths will be removed. If I am wrong, I shall happily give way to the hon. Member for Northampton, South and accept his assurance and that of the promoters that not one footpath will be lost.

Mr. Michael Morris: I am surprised that the hon. Gentleman has received such a letter, because the interested parties made representations to my hon. Friend the Member for Northampton, North (Mr. Marlow), myself and the chief executive, and meetings were held to consider the Bill. I have corresponded with the chief executive, following at least two requests from my constituents. I cannot give the assurance that the hon. Gentleman wants, first, because it is not in my constituency and, secondly, because although he has had time to raise this point with me he has not done so. If he had done so this afternoon, I could have made a telephone call. If he had given me notice, I should have been delighted to give him the assurance that he wants. All the people of Northampton, the elected representatives of the Labour party, the Conservative party and the minority parties take footpath rights extremely seriously, and I cannot believe that any action would be taken that would undermine those rights.

Mr. Bennett: I am disappointed that the hon. Gentleman cannot give me the assurance I want. While I continue my speech, perhaps he will have a word with the agents of the promoters to see whether they can give that assurance. As I understand it, they are normally in a position to brief hon. Members who are sponsoring a Bill. I am surprised that the hon. Gentleman accepted responsibility for sponsoring the Bill without understanding what it would do. That illustrates my original point. If the hon. Gentleman introducing the Bill does not understand it sufficiently to be able to give assurances about footpaths, we are in a difficult position.

Mr. Michael Morris: The hon. Gentleman seeks to bowl a fast ball at 7.29 pm with a letter that I have not seen, but which is presumably genuine. He had plenty of

[Mr. Michael Morris]

time to tell me about it earlier. The main emphasis of the Bill is on a cemetery. The other elements are subsidiary matters flowing from a perfectly normal tidying-up process. I accept that the hon. Member for Denton and Reddish (Mr. Bennett) has a deep and genuine interest in the Ramblers Association, and it is perfectly justifiable for him to pursue that interest in the House. Nevertheless, it would have been courteous to warn me that he would seek reassurance on that matter. I shall, however, do my best to double-check the situation in the next few moments.

Mr. Bennett: I apologise if I did not give the hon. Gentleman sufficient notice. I assumed that he would be able to answer questions of that kind. That is precisely the problem with private business. I objected to the Bill, not because I had taken the trouble to consider its merits, but as a means of pressing for time to debate the private business procedure, which I regard as entirely unsatisfactory.

Having put down the blocking motion last week, I received a phone call on Monday from an individual asking me to raise certain objections to the Bill. I explained that I could not deal with the matter on the telephone, but that if I received a written submission I would consider it. The documents arrived in this morning's post. Had I not been on a Statutory Instruments Committee, I might have had time to pursue the matter this morning. The hon. Member for Northampton, South will appreciate that Members of Parliament have many responsibilities.

I have a feeling that people come to me about matters relating to private business because I understand the procedure, so I tend to get dragged into situations of this kind. All that I am doing today is suggesting to the House that it is high time we reformed the procedure so that we do not end up with debates of this kind in which I have to raise questions about footpaths in Northampton, when I have very little time in which to consider the Bill.

Mr. Michael Morris: Such is the speed of modern communications that I can now give the hon. Gentleman the assurance that he seeks.

Mr. Bennett: I am grateful to the hon. Gentleman for the assurance that now there will be no blocking of footpaths or of access to commons.

Mr. Tony Marlow (Northampton, North): I simply wish to reinforce the point made by my hon. Friend for Northampton, South (Mr. Morris), that the most important aspect of the Bill, and the reason why it is being presented, is to allow certain burials to take place in the graveyard in future. It is probable that such burials would need to go ahead at the rate of about one per month, so if the Bill is delayed many people who have lost their loved ones will be deprived of the right to bury them according to their wishes. I am sure that the hon. Member for Denton and Reddish (Mr. Bennett), as a caring and compassionate Member of the House, will take that into account and do what he can to facilitate the progress of the Bill now that he has received the undertaking that he sought.

Mr. Bennett: I appreciate that point. It illustrates the faults in the private legislation procedure. Had Northampton council produced legislation simply to deal with cemeteries, I should not have received a letter requiring me to seek assurances about footpaths. In fact, someone in the council offices pointed out that a local Bill of this kind cannot be promoted very often because of the pressures on parliamentary time and the pressures of promoting such a Bill, and a whole host of other little bits are then put into the Bill, making it far more complicated for local people to consider. That is where the procedure starts to go wrong. We end up with a Bill, the primary purpose of which is to ensure that a cemetery remains open and burials can continue to take place—I appreciate all the reasons for that—but which has all kinds of other pieces of legislation tacked on to it.

Mr. Martin Redmond (Don Valley): An assurance has been given, but how do we know that it will come into effect if it is not in the Bill? Perhaps my hon. Friend can reassure me, as I am somewhat sceptical.

Mr. Bennett: It is the custom of the House, and one that has been reinforced over the years by promoters of private legislation, that any assurance given in the House by the Member dealing with a Bill on behalf of its promoters is always honoured.

Mr. Michael Morris *indicated assent.*

Mr. Bennett: The assurance about footpaths and commons is thus as good as one written into the Bill and I do not query it. I merely stress that this is not the right way to proceed in legislating either for the cemeteries in Northampton or for the footpaths there. The best people to make those decisions are the people of Northampton, who have the necessary detailed knowledge.

As I shall make clear on one of the carry-over motions, it is extremely important that the new procedures recommended for private business should be introduced at the earliest possible moment. We should then not need to have what I regard as a series of thoroughly unsatisfactory debates. Looking around the Chamber, I see several hon. Members who were here on Tuesday night. I cannot believe that many of them found that debate satisfactory. Having obtained the necessary assurances about the Bill before us, I merely seek to impress upon the House the need to reform the procedures for private business as soon as possible.

7.36 pm

Dr. John Marek (Wrexham): I was not here on Tuesday night when two other Bills and carry-over motions were debated, so I come new to the subject, but I agree with my hon. Friend the Member for Denton and Reddish (Mr. Bennett) that it is unsatisfactory to have a debate on what is simply a carry-over motion.

Mr. Michael Morris *rose——*

Mr. Speaker: Order. Perhaps I can put the hon. Gentleman right. This is not a carry-over motion. It is a Third Reading.

Dr. Marek: I am sorry, Mr. Speaker. The others were carry-over motions, but this is a Third Reading, so it may be better if I keep my comments on carry-over motions for the next debate.

It is extremely difficult for hon. Members to know exactly what is going on with all the various private Bills. I find no difficulty in coming new to this Bill and listening to the comments of my hon. Friend the Member for Denton and Reddish, who expressed genuine concern

about the possible blocking of footpaths and access to commons. I was glad to hear the hon. Member for Northampton, South (Mr. Morris) give what I understood to be a categorical guarantee that nothing of the kind would happen, but that should have been made clear in the Bill much earlier. If there is any fault in the procedure for private Bills on Third Reading, it is perhaps that insufficient time has been left for my hon. Friend the Member for Denton and Reddish to allay the worries of ramblers and others about access to footpaths. Matters of that kind should have been made clear well before Third Reading. We could then stick to the real purpose of the Third Reading debate—whether to take the Bill and like it, with all the various powers that it includes, or not to like it and not to take it. *[Interruption.]* Does the hon. Member for Southwark and Bermondsey (Mr. Hughes) wish to intervene?

Mr. Simon Hughes (Southwark and Bermondsey): No. I will follow the hon. Gentleman.

Dr. Marek: The other problem with the private Bill procedure is that it tends not to be honest. I will explain what I mean by that. People tend to make speeches for reasons connected not so much with the Bill before the House as with others that may follow. I do not suggest that any such thing is happening today, but that it a perfectly honest procedure with a clear purpose and one that has doubtless been used in the House for many years. I am not sure whether my hon. Friend the Member for Denton and Reddish can give me an immediate answer, as he has already spoken once and would need the leave of the House to speak again, but can he encapsulate in two or three sentences why he thinks that the private Bill procedure is unsatisfactory?

If a Bill commands general support, by and large the Bill is passed. Sometimes people want to delay a Bill because they want to block debate on a later Bill. However, I do not believe that any Bill that should be passed has not been passed reasonably quickly. If such a Bill has been delayed, it has been only for a few days or weeks at most. However, some Bills do not receive the general support of the House. It might be that a particular group feels that there is something nasty about the Bill and they do not want it to be passed. If such an opinion is represented by only a small group, that group does not have its way. However, it has a little power because it can delay the Bill for more than a few days or a few weeks.

My hon. Friend the Member for Denton and Reddish has probably tabled more blocking motions than any other Member. He knows more about such tactics than the rest of us put together. However, at the end of the day hon. Members cannot stop a Bill unless a majority vote for that. They simply have the power to delay it. Because the promoters wish the Bills to be dealt with speedily, they tend to see sense. Opposition concentrates their minds. That is a positive aspect of the procedure on private Bills. If I had a well-founded objection to a Bill, and I shouted "Object" to block the Bill, the promoters and their colleagues would soon ask me why I objected and whether there was any way in which they could overcome my objection. Such a practice is not followed by the Government—certainly not a Government with such a large majority. They do not take any notice of anybody.

If the promoters of a Bill believe that an hon. Member has serious worries about it, they will try to discover the reasons. If they feel that an hon. Member is merely deploying certain tactics to block another Bill, they will put up with that, provided that their Bill is passed at the end of the day. If an hon. Member seriously feels that there is something wrong with the Bill, the promoters will ask whether they can help to alleviate the concerns and attempt to discover whether there is any common meeting ground between the parties. It is good that we are having a short debate on this Bill. Already the promoter has given a categorical assurance that no footpaths will be blocked and ramblers can continue to use them.

Mr. Andrew F. Bennett: My hon. Friend asked whether, in a few words, I could explain what was wrong with the private Bill procedure. I cannot. The Joint Committee on Private Business has published a report, and anyone who reads it will see the recommendations for reform of the procedure. When we reach the carry-over motion for the next Bill, I shall say more about that and illustrate why the report argues that we should not regularly give permission for Bills to be carried over. I do not wish to say anything more about the Bill now before us.

Dr. Marek: I, too, will not say a great deal more. We occasionally have to deal with carry-over motions and I shall refer further to those in our later debates. There appears to be general assent for Third Reading of this Bill. I await with interest to hear whether the sponsor and other hon. Members think we should give it a Third Reading.

7.45 pm

Mr. Simon Hughes (Southwark and Bermondsey): I shall be brief. I have visited Northampton on several occasions, but I do not intend specifically to comment on the details of the Bill, although I welcome the concessions made by the hon. Member for Northampton, South (Mr. Morris).

The wider issue of how we deal with private Bills will come before us later, but I think it appropriate at this time to make one or two comments. We are in the last days of this Session of Parliament, and I feel it appropriate to say that this House sits longer, by the hour, than any other legislature in the world. We are miles ahead, and the other place is second only to us. One reason that we sit for so long is that we must deal with a great deal of business that, quite honestly, would be better dealt with elsewhere. Because we do not have a devolved system of legislation, as do many other countries, it cannot be dealt with elsewhere. Because there is no forum for debate in Scotland, Wales the regions and the counties, it must be dealt with here. I am sure that a more informed debate would take place if a Bill such as this, dealing exclusively with Northampton matters—or, indeed, any of the others listed for debate tonight—were debated in places other than the House.

Of course, if we were debating the Channel tunnel—the Bill was hybrid, being part private and part public—the House would be the proper forum because the matter would be of national importance. However, in general, private legislation is specific to the area in question, as are the Bills before us tonight.

I admit that I have not read the report in detail, although I understand its general tenor. I hope that we will soon consider the inter-relationship of our procedures, which certainly need reforming, with the constitutional structures within which we force ourselves to debate

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matters that would more appropriately be debated elsewhere. We should consider what to do about our constitution so that we do not have to deal with matters that would be better dealt with in the nations and regions of the United Kingdom.

Whatever we do, and for as long as we have a procedure that ensures that legislation goes through this and another place, there should be a proper way in which representatives—either through interest or as constituency Members—of those affected by the Bill can make their views felt and, if necessary, delay specific legislation so that their concerns may be partially met. The opportunity for a Bill to be challenged by local representatives of the area affected is appropriate for debate, whatever the Bill. Whatever new procedures might be devised in the new Session of Parliament, I hope that that aspect will be retained.

7.48 pm

Mr. Michael Morris: I am grateful to hon. Members for their contributions, especially the hon. Member for Denton and Reddish (Mr. Bennett) who demonstrated his understanding of the predicament in which we found ourselves by the questions that he raised. I hope that the assurances that I gave fully met his wishes.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 106, Noes 36.

Division No. 487] **[7.48 pm**

AYES

Adley, Robert
Alexander, Richard
Amos, Alan
Arbuthnot, James
Atkins, Robert
Atkinson, David
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Bowis, John
Brandon-Bravo, Martin
Bright, Graham
Budgen, Nicholas
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Clark, Sir W. *(Croydon S)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Davies, Q. *(Stamf'd & Spald'g)*
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forth, Eric
Franks, Cecil
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodson-Wickes, Dr Charles
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Harris, David
Heathcoat-Amory, David
Hind, Kenneth
Howarth, Alan *(Strat'd-on-A)*
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, David *(Wirral W)*
Irvine, Michael
Janman, Tim
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Knowles, Michael
Lamont, Rt Hon Norman
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moss, Malcolm
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Radwood, John
Renton, Tim
Riddick, Graham
Ridsdale, Sir Julian
Rowe, Andrew
Sackville, Hon Tom
Shaw, Sir Michael *(Scarb')*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Stern, Michael
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thornton, Malcolm
Thurnham, Peter
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waller, Gary
Watts, John
Widdecombe, Ann
Wilshire, David
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Michael Morris and
Mr. Tony Marlow.

NOES

Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Bermingham, Gerald
Blunkett, David
Boyes, Roland
Buckley, George J.
Callaghan, Jim
Campbell-Savours, D. N.
Clwyd, Mrs Ann
Cohen, Harry
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Eastham, Ken
Flannery, Martin
Gordon, Mildred
Griffiths, Win *(Bridgend)*
Hinchliffe, David
Lamond, James
Lewis, Terry
Lofthouse, Geoffrey
Mahon, Mrs Alice
Meale, Alan
Mullin, Chris
Nellist, Dave
Patchett, Terry
Primarolo, Dawn
Quin, Ms Joyce
Ruddock, Joan
Sheerman, Barry
Skinner, Dennis
Spearing, Nigel
Taylor, Mrs Ann *(Dewsbury)*
Wall, Pat
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Martin Redmond and
Dr. John Marek.

Question accordingly agreed to.

Bill accordingly read the Third time, and passed, with amendments.

Port of Tyne Bill *[Lords]*

Motion made, and Question proposed,

That the Promoters of the Port of Tyne Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petition against the Bill presented in the present Session which stands referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

7.59 pm

Mr. Andrew F. Bennett (Denton and Reddish): I should like to speak briefly and suggest that we should consider carefully whether to consent to the carry-over motion. We should consider this issue carefully because the Select Committee on Procedure stated that it did not feel that carry-over motions were a satisfactory device and that if we are to continue to have private legislation, in normal circumstances attempts should be made to ensure that the private legislation completes its passage through the House in one Session or in two at the most. As the House knows, we have just had a longer than normal Session, so there should have been more opportunity for the promoters to get their legislation through than would be the case in a normal Session.

It is a good parliamentary rule that public business has to be completed in one Session and that if it is not completed in one Session it must start all over again. That means that we can proceed with business in an orderly way. If certain business is not completed by the end of the Session, it is cleared away and people will have second thoughts.

However, that procedure does not apply with private business. The argument is that the promoters will have gone to considerable expense. In some cases, the petitioners also will have gone to considerable expense in, for example, briefing counsel and possibly in appearing before the Committee. It would be unfair if at that stage the Bill were then thrown out because of lack of time and a new Bill had to be introduced.

I am sure that anyone who has read the report on private business will agree that there is clear evidence that a lot of legislation has gone through the House under the guise of private business, although it could have been dealt with in other ways. It is high time that the House adopted the recommendations in the report and made it clear that it does not see private business as a cheap way of getting round our planning legislation or as a cheap way of promoting something that the promoters consider desirable or as a way in which local arguments can be sidelined with people who do not know the local details making the decisions. At the moment the procedure is a farce in that any hon. Member who serves on a private Bill Committee must have no knowledge of what is going on, yet that person has to sit in an almost quasi-judicial capacity.

Therefore, the House should consider carry-over motions carefully. I hope that my hon. Friends will make it clear that, if this carry-over motion is carried, they will not expect any more carry-over motions for the Port of Tyne Bill *[Lords]*; they will expect the legislation to be completed within the next few months. Indeed, by this time next year we expect private business to be so reformed that carry-over motions will be brought before the House only rarely, if at all.

I want undertakings from the Government that they will facilitate the opportunity for a debate on the report and that they will bring forward amendments to the Standing Orders so that we can introduce a new procedure at an early stage. I am disappointed that the Leader of the House is not in his place because I had hoped that he would give that undertaking. I raised this matter with him at business questions today and he said that he thought that he would be able to find time for an early debate before the Government had produced their response to the Select Committee. However, he did not give any further undertakings about how soon the debate would take place. I understand that there are rumours that it might be in January or in early February.

I am not sure whether the Chairman of Ways and Means is in a position to intervene in the debate and to give us some sign of how he, as Chairman of Ways and Means, feels about whether the new procedure will be debated and introduced. I am well aware that he has taken a great deal of interest in the setting up of the special Committee to investigate procedures. Indeed, he gave evidence to the Committee. I am also well aware that you, Mr. Speaker, have in the past taken a great deal of interest in private business and that you are aware of many of its problems.

I hope that there will be an early opportunity for a debate. I should have preferred the Government to give us that assurance, because I put it to the Whips that if such a Government assurance had been forthcoming, I should not have had to press very much more tonight in regard to the other carry-over motions and the Government might be able to get back to their business at an early stage. However, it does not look as though anyone will offer me those assurances.

Although the Government have had time to consider the private Bill procedure, one is left with the slight suspicion that they still have an enthusiasm for private business because they sometimes seem almost to resort to it. The county council "jumbo" Bills are an example of the Government seeming to implement their legislation through private business. I am sure that anyone who listened to the debates on Tuesday night would have been left with the suspicion, especially if they looked at the

[Mr. Andrew F. Bennett]

voting figures, that those two Bills relating to the import of coal were being promoted with clear Government support. Those Bills should not have been considered as private legislation. They should have been dealt with through planning applications in the locality and if it was necessary, for the country, to take a policy decision to import coal, that should be done through public rather than private legislation.

Mr. Simon Hughes (Southwark and Bermondsey): The hon. Gentleman knows far more about procedure generally than I do. My question relates exactly to the matter that he has raised.

Has it traditionally been the policy and the procedure of the House that the Government should take a Government line on private Bill matters when there is an alternative way of dealing with the issue by normal resolution at county or other level? I remind the hon. Gentleman of the example of the Hampshire (Lyndhurst) Bypass Bill which interfered with the legislation on the New Forest. That issue could have been dealt with by amendment of statute, but a private Bill was enacted. Although it has since died, the Government intervened to ensure that the Bill was given a Second Reading with Government votes. That Bill was very much a breach of the policy of protecting the New Forest. We have seen other examples. As a matter of history, is there a pattern to suggest that the Government should not intervene in that way and seek to impose their policies?

Mr. Speaker: Before the hon. Gentleman is tempted to go too far down that line, we must concentrate on the reason why this particular Bill should or should not be subject to a carry-over motion and not other Bills.

Mr. Bennett: I appreciate that point, Mr. Speaker. The Port of Tyne Bill illustrates the problem of private legislation because in so far as the port is being extended as a result of legislation that should be covered by local planning procedures. However, as far as certain harbour works and alterations to the coastline are concerned, such as the placing of buoys, such matters have traditionally been dealt with by private legislation. I am not convinced that it is necessary to use private legislation for such matters. The planning aspects should be done through planning procedures and it would be perfectly reasonable to have special orders to deal with the harbour works. That is investigated in the report on the reform of private business procedure.

For most of last century and before, the House spent a great deal of time on private legislation, but since the introduction of local government planning legislation in 1947 the need for private business seems greatly diminished. Now it is almost a historic carry over. Last century there was a great deal of wheeling and dealing on private legislation. A Bill was introduced for a railway from London to Birmingham and a bribe had to be offered to the people of Northampton that the railway would not go through Northampton so that the then Member for Northampton would not cause a fuss in Parliament and stop the legislation. The people of Northampton wanted to keep the railway as far from the town as possible and certain noble interests wanted to keep the railway off their land. On the other hand, certain private landowners managed to get their own private railway station through private business. But throughout that wheeling and dealing the Government were supposed, at least officially, to remain neutral. In private business the Government did not whip or organise.

I have been in the House since 1974 and the firm tradition has been that private business was the business of Members, and not a matter on which the Government or Opposition issued Whips, although there were occasions when individual Members issued Whips. In answer to the hon. Member for Southwark and Bermondsey (Mr. Hughes), it is only recently that the Government have adopted an attitude on private Bills. The best example of whipping on private business is the Felixstowe Dock and Railway Bill, and we saw the same process on some coal measures. The Government have an opportunity to express their view in Committee and it is then that they should do so.

It is high time that we got round to introducing this legislation. I am disappointed that tonight the Government cannot assure us that they will get on with the reform of private business and that carry-over motions will be a thing of the past. We have before us a whole series of carry-over motions, and I appeal to the Government Front Bench to have a word with the Leader of the House and suggest that the sooner he gives assurances that we shall have an early opportunity to debate the report on private procedure, the less need there will be for my hon. Friends and me to chivvy the Government and complain about this procedure.

I hope that tonight we can at last give an indication to the promoters and the Government that we are not satisfied with carry-over motions, and issue a warning to anyone thinking about presenting private business next Session that we shall expect them to complete it in one Session, and not to plan for a carry-over motion. If the matter is non-controversial, why has it taken nine months to get the Bill so far? If, on the other hand, it is controversial, should we be dealing with it? We should not.

I hope that at an early stage the Government will give us better assurances that these procedures will be reformed.

8.14 pm

Mr. Frank Cook (Stockton, North): The Bill has passed unopposed through the House of Lords. It redefines in up-to-date terms the duties and powers of the authority. It provides for the authority to issue general directions for ensuring the safety of vessels and persons using the dock, and it enables the harbour master to give special directions to particular vessels where necessary. The Bill contains provisions which enable the authority to regulate the placing and other related matters of lights which might interfere with the safe navigation of the channels by vessels. It seeks to increase the safety of those who use dock roads by enabling certain provisions of the general road traffic legislation to apply to those roads. It also effects an uprating of certain penalties and modernises the procedure for confirming port bye-laws. It empowers the authority to bring about the development of land within the port which is no longer needed for port purposes.

The House will know that I have no direct connection with the River Tyne. My constituency is on the Tees. I have been asked to make it clear that the two blocking motions tabled by my hon. Friends the Member for Yarrow (Mr. Dixon) and for South Shields (Dr. Clark)

were intended to enable my hon. Friends to speak with the promoters and have certain questions answered. I do not need to explain to you, Mr. Speaker, how one can get caught up with business in this House. I am having to make this statement on behalf of my hon. Friend the Member for Yarrow because he is the Opposition Deputy Chief Whip and his presence is required elsewhere. That is why he has to put up with a second-rate right-handed lieutenant.

I make this statement so that the House understands that my two hon. Friends who wish to block the Bill are happy to agree with the carry-over motion so that in some weeks' time they can clear up matters with the promoters. To seek to block a carry-over motion now would be grotesquely unfair on those who did not expect the Standing Orders of the House to be changed so suddenly.

Question put and agreed to.

Ordered,

That the Promoters of the Port of Tyne Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

Ordered,

That the Petition against the Bill presented in the present Session which stands referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

Ordered,

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

Ordered,

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

River Humber (Burcom Outfall) Bill *[Lords]*

Motion made, and Question proposed,

That the Promoters of the River Humber (Burcom Outfall) Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration, signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office that such a declaration has been so deposited has been laid upon the Table of the House, the Bill shall be deemed to have been read the first time and shall be ordered to be read a second time;

That the Petition against the Bill presented in the present Session which stands referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.— *[The Chairman of Ways and Means.]*

8.18 pm

Mr. Andrew F. Bennett (Denton and Reddish): I do not intend to speak at any length on this motion. I tried to persuade the Government to assure us of an early debate on the report of the Select Committee on Procedure. I extended my sympathy to you, Mr. Speaker, as you have many years' experience of the problems of private legislation, and hoped that perhaps the Chairman of Ways and Means would catch your eye and intervene to show that he felt strongly that we must have an early debate on the reform of private business procedure. I should be grateful for an opportunity to hear him place those views on the record.

8.20 pm

The Chairman of Ways and Means (Mr. Harold Walker): It is only for convenience that I choose this location from which to address you, Mr. Speaker, and the House, and not because of any kind of partiality. I listened carefully to what the hon. Member for Denton and Reddish (Mr. Bennett) said in the earlier debate. I understand, and largely share, his concern that we should now ensure that the labours of the Joint Committee bear fruit, but we must ensure that we do that properly.

Mr. Martin Redmond (Don Valley): I wonder whether the Chairman of Ways and Means agrees that planning matters are far better dealt with by the relevant local authorities or, if they are of major importance, that a public inquiry should take place. That would be a far better system than messing about, taking an unholy

[Mr. Martin Redmond]

number of hours and putting Mr. Speaker in an invidious position. It would be far better for the House to ensure that all planning requirements are dealt with by local authorities.

The Chairman of Ways and Means: You would reproach me, Mr. Speaker, if, in replying, I were to turn the debate on the motion into a debate on procedure. I suggest to the hon. Member for Don Valley (Mr. Redmond) that he reads the report and my submission to the Committee. In my submission, I touched on the point that he has raised. I assure the hon. Member for Denton and Reddish and other hon. Members that there is a widespread concern that we should ensure that we respond to the recommendations in the report. We must respond to them having taken account of the local authority associations, Government Departments, agents and others who are directly affected. We must proceed in a thorough way. It makes sense to get those views.

I have said already to the Leader of the House, who has a sympathetic ear, that there should be a motion to take note of the Committee's report when hon. Members could put forward their views. Subsequently, recommendations could be put to the House.

Mr. Dennis Skinner (Bolsover): I know that the Chairman of Ways and Means has followed these matters carefully and has been involved in helping to draw up the report, which will change the procedure and prevent backlogs such as this.

I wonder whether the Chairman will consider the following case, which may occur this year or next. Let us suppose that a carry-over motion is put forward this time next year on behalf of the promoters of the Associated British Ports (No. 2) Bill and the North Killingholme Cargo Terminal Bill. Let us suppose also that we manage to hold up those Bills for another 12 months, so that they fall within the new system. Would they have to start from afresh, rather than be carried over? There will always be Bills in the pipeline, whenever the new procedure is introduced. What will happen to those Bills when the new procedure is evolved? Will they wait continually? Each year there will be Bills waiting for carry-over motions. Unless the House accepts the argument for stopping a Bill in its tracks, the new procedure will never be implemented.

The Chairman of Ways and Means: I doubted the wisdom of being lured into taking part in the debate. I begin to feel that my reservations were right.

The hon. Member for Bolsover (Mr. Skinner) will not expect me to comment on Bills that are not before the House tonight. I do not want to mislead him about the speed with which the recommendations made by the Joint Committee can be implemented. Some will require legislation and that, plainly, will take time. When he said that any changes that are made will impinge on some Bills that may be before the House, he was in the realm of hypothesis and it would be unwise to speculate on a particular situation.

We have been given the chance to listen to the views of hon. Members on this important matter, and I am pleased that there is so much interest in it. I am determined that the Joint Committee, having worked so hard and for so long, will see its labours bear fruit. We must not allow the report to gather dust, and I know that the Leader of the House shares that view. I hope that at some time we will debate the views of the House more fully.

If you will forgive me for having intervened, Mr. Speaker, I hope that I have helped us to make progress.

Mr. Speaker: I agreed to that intervention by the Chairman of Ways and Means because I thought that it might help the hon. Member for Denton and Reddish (Mr. Bennett), who is seeking a debate on the Joint Committee's report. I entirely share his view and I listened to what the Leader of the House had to say. He said this afternoon that there would be a debate early in the new Session. Let us now return to the subject of the motion.

8.27 pm

Mr. Austin Mitchell (Great Grimsby): I am not sure whether the comments of my hon. Friend the Member for Denton and Reddish (Mr. Bennett) were an objection to the Bill, or to the procedure. I ask that the Bill be carried over. The terms of the debate are strictly limited, so I cannot say—as I should—that the Bill will be an aid to jobs in Grimsby, which would otherwise be threatened, or that proper means for the disposal of effluent is essential and will improve the environment. Since negotiations between Tioxide and Associated British Ports have now been concluded but not ratified, the Bill should be carried over in case there is a breakdown in negotiations.

Mr. Redmond: Can my hon. Friend tell me whether the Bill will lead to an improvement in the environment, or will it simply mean that toxic waste will be moved from one place to another? Will there be an improvement in the environment?

Mr. Mitchell: I am satisfied that there will be. The Bill seeks to be an improvement on the River Humber (Burcom Outfall) Act 1986, which gave Tioxide powers to construct an outfall into the Humber to enable waste to be discharged into deeper water, where it could be more readily dispersed. That is a considerable environmental improvement and Tioxide must have an efficient means of waste disposal to safeguard jobs in the factory, which is in Grimsby.

Under the 1986 Act there had to be an agreement to protect the interests of Associated British Ports, as the conservancy authority. That agreement was not reached in time, so the Bill is an attempt to improve the position in those negotiations. It will probably be unnecessary, because agreement has been reached, although it has not been finalised. I hope that we can safeguard the Bill by allowing it to be carried over to the next Session, just in case any breakdown occurs. We should not throw away the work that has gone into the Bill.

Question put and agreed to.

Ordered,

That the Promoters of the River Humber (Burcom Outfall) Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill

Office a declaration, signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office that such a declaration has been so deposited has been laid upon the Table of the House, the Bill shall be deemed to have been read the first time and shall be ordered to be read a second time;

Ordered,

That the Petition against the Bill presented in the present Session which stands referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

Ordered,

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

Ordered,

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

Newcastle Upon Tyne Town Moor Bill *[Lords]*

Motion made, and Question proposed,

That the Promoters of the Newcastle Upon Tyne Town Moor Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as have been made by the Committee in the present Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

8.29 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I hope that the House will allow the Bill to carry over into the next Session. The Bill, as modified, has the support of hon. Members who represent constituencies in the city of Newcastle upon Tyne. It also has the undivided support of the freemen's association which owns the leasehold on the Town moor in the city of Newcastle.

Mr. Dennis Skinner (Bolsover): Did my hon. Friend say freemen or "freemasons"?

Mr. Brown: It is important to get that right. I assure my hon. Friend that I said "freemen," not "freemasons", although it would not be unusual if they had something to do with it. As far as I can tell, they are not specifically interested in the matter. Of course, as my hon. Friend would be the first to point out, one cannot always tell whether they are involved. However, that is irrelevant to the matter in hand.

Newcastle upon Tyne city council has unanimously agreed to promote the Bill, which is supported by the Labour majority, the Conservative minority and the much larger Liberal minority on the council. Incidentally, the Liberal representation on the city council is now twice the size of the Conservative representation, which shows how things are going in the north of England.

The Bill has been delayed, and it has been delayed for a good reason. It was being blocked by my hon. Friends the Members for Tyne Bridge (Mr. Clelland), for Newcastle upon Tyne, North (Mr. Henderson), for South Shields (Dr. Clark) and myself. I take careful note of the point made by my hon. Friend the Member for Denton and Reddish (Mr. Bennett) about the reasonableness or otherwise of carrying a Bill over from one Session to the next, but with this Bill we have a good reason. My hon. Friends and I, who have the honour and privilege to

[Mr. Brown]

represent communities on Tyneside, objected to the Bill because we did not believe that it contained sufficient safeguards to protect two principles which we believed to be encapsulated in existing legislation and which were highly desirable for our communities.

First, we thought that the Bill ought to protect the right of public access to the town moor—not just for the freemen of Newcastle but for all the citizens of Newcastle and for all those who come to visit the city. That has hitherto been the practice, although it has not been the law. We understand that such free access was intended in previous Acts, although it was not specifically stated.

We had a second objection. The Bill consolidates all previous legislation relating to our town moor which goes back 300 years and comprises a number of different Acts of Parliament. We suspected that it might enable the leader of the city council—the city council owns the freehold, although the freemen hold the lease in perpetuity—to bring pressure to bear on the freemen's association, which is not well funded, to sell part of the town moor for a car park or for a property development. The citizens of Newcastle feel very strongly that the town moor should be there for them to enjoy and that it should not be sold to property speculators. To prevent the leader of the council or anyone else from selling the town moor to property speculators we blocked the Bill and opened negotiations with the freemen, who wished to ensure its passage through the House.

Those negotiations have been entirely successful and we have inserted clauses that wholly protect the public right of access and prevent—as solidly as anything could—the alienation of the moor from the people of Newcastle. Because we argued and fought to secure those concessions, it was reasonable to delay the Bill, and it is now reasonable to carry it over into the next Session.

Mr. Andrew F. Bennett (Denton and Reddish): I congratulate my hon. Friend on getting such a good deal out of the promoters. However, that is no reason why Bills should be carried over in future. If the promoters know that it is difficult to obtain a carry-over, their minds will be concentrated and they will negotiate before the Bill reaches Parliament or early in its parliamentary proceedings. Because carry-over motions are now so commonplace, there is a temptation for everyone concerned in the negotiations to spin out the proceedings. I hope that in future promoters will come to the negotiating table much more quickly.

Mr. Brown: I wholeheartedly agree with my hon. Friend. If our perfectly justifiable requests to safeguard the moor from property developers and to safeguard public right of access to it had not been conceded, we should have held the Bill up indefinitely.

Mr. Skinner: My hon. Friend the Member for Denton and Reddish (Mr. Bennett) has made a very good point and we are right to thank him for it. I agree that he is right to hold out for safeguards and protections, but there is an additional point to be made. Not only do the promoters know that Bills can be carried over—especially under the Tory Government, for whom carry-over motions are becoming the order of the day—but they can milk the ratepayers of Newcastle and elsewhere. In the knowledge that they can get a carry-over motion at will, the promoters can say, "Let us carry over the Bill for a year, or even two, and all the time we can put in bills for big fat fees." The people of Newcastle will have to foot the bill. A carry-over motion will benefit the promoters, their agents, the lawyers and all the rest who can make a fat killing by carrying-over a Bill. They might have dragged my hon. Friend to the point at which he gave way—in this case he refused—and they would have lined their pockets as a result.

Mr. Brown: I have great sympathy with that intervention. I greatly resent the amount of public money that is spent on lawyers—unnecessarily in my view. My hon. Friend the Member for Bolsover (Mr. Skinner) touched on an apposite point. At one stage in our negotiations the city council was using its power of funding as a weapon in its negotiations with the freemen of the city. In my view, that was wrong. In all our dealings with the freemen of the city of Newcastle, they have behaved perfectly properly and, like us, have sought to protect the town moor in its existing form and prevent the encroachment of property developers. My hon. Friend the Member for Bolsover rightly hinted that others involved in public life would not have been unhappy for the Bill to have been passed in its earlier form, conceivably their enabling the alienation of open lands in Newcastle to property developers. I stand strongly against that, as do my hon. Friends who represent the city.

My hon. Friend the Member for Denton and Reddish referred to the abuse in the House of private business in an attempt to get round planning constraints. I wholeheartedly agree with him, although this Bill does not deal with planning matters. It is an attempt to consolidate 300 years of legislation into one Bill. Where matters such as rights of herbiage do not translate easily into modern legislation, the Bill clarifies them in as fair-minded a way as possible and the draftsmen have sought to resolve any ambiguities that exist.

My hon. Friends and I are satisfied that the Bill protects the interests of the citizens of Newcastle and that it will prove a strong safeguard to preserve the town moor in its present form, so that it cannot be encroached upon by property developers. I hope that the House will allow the Bill to be carried over into the next Session and proceed to the statute book thereafter.

Question put and agreed to.

Ordered,

That the Promoters of the Newcastle Upon Tyne Town Moor Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as have been made by the Committee in

the present Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

Ordered

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

Harwich Harbour Bill *[Lords]*

Motion made, and Question put,

That the Promoters of the Harwich Harbour Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as have been made by the Committee in the present Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

The House proceeded to a Division—

Mr. John Home Robertson (East Lothian) *(seated and covered):* On a point of order, Madam Deputy Speaker. I have just had the opportunity of voting in the No Lobby and while passing through I noticed a certain amount of smoke coming from a waste-paper basket. Presumably some hon. Member put a lighted cigarette into it. I extinguished that fire. I wonder whether you can give some guidance as to whether hon. Members should be taking such a risk in the Palace of Westminster.

Madam Deputy Speaker (Miss Betty Boothroyd): As I understand it, hon. Members are required not to smoke in either Lobby.

The House having divided: Ayes 100, Noes 37.

Division No. 488] **[8.39 pm**

AYES

Adley, Robert
Alexander, Richard
Arbuthnot, James
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Boswell, Tim
Bottomley, Peter
Bowis, John
Brandon-Bravo, Martin
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forth, Eric
Franks, Cecil
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Harris, David
Heathcoat-Amory, David
Howarth, Alan *(Strat'd-on-A)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Irvine, Michael
Killedder, James

King, Roger *(B'ham N'thfield)*
Knapman, Roger
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Moss, Malcolm
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thornton, Malcolm
Thurnham, Peter
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Waller, Gary
Watts, John
Widdecombe, Ann
Wilshire, David
Wood, Timothy

Tellers for the Ayes:
Mr. Michael Stern and
Sir George Young.

NOES

Banks, Tony *(Newham NW)*
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Buckley, George J.
Callaghan, Jim
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Cryer, Bob
Cummings, John
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Eastham, Ken
Faulds, Andrew
Fearn, Ronald
Gordon, Mildred
Hardy, Peter
Haynes, Frank
Hinchliffe, David
Home Robertson, John
Jones, Martyn *(Clwyd S W)*
Lamond, James
Lewis, Terry
Lofthouse, Geoffrey
McNamara, Kevin
Mahon, Mrs Alice
Marek, Dr John
Meale, Alan
Nellist, Dave
Primarolo, Dawn
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Wall, Pat
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Martin Redmond and
Mr. Harry Barnes.

Question accordingly agreed to.

Ordered,

That the Promoters of the Harwich Harbour Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as have been made by the Committee in the present Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

London Regional Transport (No. 2) Bill

Motion made, and Question proposed,

That the Promoters of the London Regional Transport (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That since no Petitions remain against the Bill no Petitioners shall be heard before any committee on the Bill save those who complain of any amendment as proposed in the filled up Bill or of any matter which arises during the progress of the Bill before the Committee;

That no further fees shall be charged in respect of any proceedings on the Bill in respect of which fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House. — *[The Chairman of Ways and Means.]*

8.54 pm

Mr. Chris Smith (Islington, South and Finsbury): I urge hon. Members to agree to this Bill being carried over. Many of my hon. Friends and other hon. Members will be aware that, for some considerable time, I have been urging this House to encourage London Regional Transport to go ahead with the improvement of Angel Underground station. That is precisely the purpose of the Bill.

Angel is almost certainly the worst station in the entire Underground system—many hon. Members will have had personal knowledge and experience of that. The Bill contains a number of important measures to ensure that improvement work can go ahead. Principally those measures involve the removal of the present lifts, which work, at best, sporadically, and, at worst, not at all, and their replacement with new escalators leading to a new ticket hall and entrance to the station to be built on Islington high street.

In addition and most importantly, the Bill contains the provision for the removal of the island platform which is located in the middle of the tracks at the station and its substitution by proper normal platforms as in other stations on the Underground system. Presently the island platform is extremely dangerous, especially with the enormous increase in the numbers of people who use Angel. In recent years, in the immediate vicinity of that station a large amount of office development has taken place. That has meant that the number of people using that station has considerably increased. During the rush hour the press of people trying to get on and off the island platform has become great. The obvious danger to passenger safety should be all too clear to the House, especially on the day when we have considered the report of the inspector into the King's Cross tragedy. The safety of passengers in other stations on the Underground system should be uppermost in our minds.

The Bill will seek to put many of the problems right and it is important that the carry-over motion is passed by the House to ensure that the necessary work can take place as quickly as possible.

It is not entirely the fault of the promoters that a carry-over motion has become necessary. The Bill was tabled at a fairly late stage of the Session principally and regrettably because it took the Government some considerable time to come forward with the capital funding necessary to ensure that the work could proceed. I am delighted that that financial commitment has now been made by the Government to ensure that that work can be done, but it is a pity that it took so long for that commitment to be forthcoming. There were also lengthy discussions between London Regional Transport and the borough of Islington about the precise way in which the work should be carried out, the location of the new entrance and the detail of the necessary construction to improve the station.

All those discussions have now reached a positive conclusion and there are no outstanding petitions against the Bill.

Dr. John Marek (Wrexham): Will my hon. Friend put our minds at ease so that we may be absolutely sure that there are no outstanding petitions and that all the problems have been solved? I apologise to my hon. Friend for not being absolutely in the know about what has happened to this Bill, but there are many private Bills and it is simply not possible for any Member to know exactly what is going on at any stage.

Mr. Smith: I can certainly assure my hon. Friend on that point. The motion specifically says that there are no outstanding petitions against the Bill. I urge hon. Members on both sides to vote for the motion. My constituents and I have asked for these works for many years. At long last, in the past year, we have secured the agreement of LRT and the funding commitments from the Government that will ensure that they can go ahead.

The station is in dire need of improvement. Safety considerations are overwhelming, and I very much hope that proceedings on the Bill can be concluded in both Houses as rapidly as possible so that the works can commence as soon as possible.

9.1 pm

Mr. Jeremy Hanley (Richmond and Barnes): I am in complete agreement with the hon. Member for Islington, South and Finsbury (Mr. Smith).

I should declare an interest as a director of a company which has recently moved to the area close to Angel tube station, in White Lion street. The building is used by more than 400 accountancy students each day. It is symptomatic of the improvement in the area that many businesses are moving into the streets surrounding the tube station, and it is only right that London Regional Transport should succeed in upgrading the station, thereby improving the conditions of houses and businesses in that part of north-east London.

I hope that the Bill will have a speedy passage and that LRT will treat safety as a priority, remembering that litter and the general lack of cleanliness helped to fuel the awful tragedy at King's Cross. The station is a disgrace at the

[Mr. Jeremy Hanley]

moment and the improvements will increase the comfort of residents and business users and of all who travel through the area. I welcome the Bill.

9.2 pm

Dr. John Marek (Wrexham): I do not intend to vote against the Bill, which, on balance, is a good one. I do not know the details of the changes to the Angel station. Perhaps the Bill's promoters or my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) can provide me with reassurances that will enable me to vote for the Bill with enthusiasm rather than passivity.

We know LRT's record. I do not blame it for trying to cut the manpower and womanpower involved in rubbish collection, maintenance and servicing the Underground system. LRT is the monkey in the game: the organ grinder is the Department of Transport. The Secretary of State for the Environment is the man who should have resigned over the King's Cross disaster if he had had any integrity.

The Department of Transport has authority over LRT's actions. It is plain for all to see that any Bill brought forward by LRT will be coloured by the financial constraints of the Department of Transport. We now have what are called Thatcherite policies—value for money, efficiency and no waste——

Mr. Hanley: Does the hon. Gentleman not recognise substantial investment in public transport when he sees it? Is that not in itself a reason to support the Bill?

Dr. Marek: I believe these things when I see them. None of us has seen the Bill. We have seen a few words on paper, but I have not seen the works and improvements that are planned for the Underground station.

Mr. Chris Smith: My hon. Friend is right, in general terms, to be sceptical about the role of the Department of Transport—especially that of the Secretary of State—in the funding of LRT. The Angel tube station is on the City branch of the Northern line, which is the Cinderella of the Underground service. Many improvements in the frequency of trains and quality of service are needed, and I am already pressing the Secretary of State for them.

My hon. Friend asked about the specific works that are included in the Bill. I refer him to the estimates of expense, which have been tabled and are before the House. The overall total is nearly £45 million. That is the amount required to carry out these important works at Angel Underground station. That is a substantial and an adequate amount.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I appreciate that the hon. Gentleman is providing information, but he is making another speech. I must ask him to bring his intervention to a close.

Mr. Smith: I was just concluding my intervention. This is a substantial and adequate investment to carry out the works in the Bill.

Dr. Marek: I am grateful to my hon. Friend for seeking to reassure me on these matters. The estimates come to about £44 million, and that is a lot of money. On the other hand, in today's world, and at today's prices, I wonder what one would get for that amount.

Mr. Peter Hardy (Wentworth): Without disputing the need for the work to be carried out at Angel station, some of us will be anxious to know whether the expenditure there will be within a far too limited budget, which will mean that the needs of other Underground stations may be neglected. Is my hon. Friend aware that unless we have an assurance that other funds will be available we shall have some hesitation in supporting our hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) because he may wish to put too many of the rather limited number of eggs in a basket that is rather too small?

Dr. Marek: I am grateful to my hon. Friend for his intervention. Perhaps he will have a chance to develop his ideas later in the debate.

We are debating a carry-over motion because certain things should have been done in a certain way and were not. That has created problems. Every hon. Member has a right to worry about what is going on and to wonder whether the £44 million will be spent properly. Secondly, is it sufficient to undertake specific works? I shall deal with one or two of the things that I mean.

In the past six or seven years, London Regional Transport has undertaken works in such a way as to spend the minimum amount of money necessary to get the public to use the Underground. It has not spent a penny more than was necessary, yet if it had spent a few more pennies it could have given the travelling public the comfort and the luxury that they desire.

The Underground walkways are far too narrow, and at times during the rush hour there is simply not enough room for people to get to or from the platforms. The frequency of service at some Underground stations is such, perhaps because of out-of-date signalling equipment or because there are not enough trains, that many people on the platform cannot get on the train and have to wait for the next one. In some cases people are not allowed on to the platform.

This important Bill is about the refurbishment and rearrangement of the Angel Underground station. The question that we must ask about any carry-over motion is whether the promoters of the Bill have got it right, so that the money will be properly spent and the House can give a fair wind to the motion. The other question that we must ask is whether the money will be spent in a cheeseparing way, because, given the expected increase in passenger traffic, very soon, and perhaps even before the works are completed, we shall see that the works were inadequate and that too many passengers are using the station in unsuitable conditions.

That is why we must consider whether we should allow the Bill to go through, or whether we should stop it at this stage because the House believes that the money is insufficient or is not directed appropriately and it is better to ask the promoters to think again.

My hon. Friend the Member for Islington, South and Finsbury has persuaded me that it would be reasonable to allow the Bill to be carried over into the next Session, but I wish to ask a few simple questions. The answers may be in the Bill or may already have been given in Committee, but it is difficult for any hon. Member to know the details of a private Bill. I apologise if I ask questions to which I should know the answers, but I should like to know whether escalators will be provided from ground level to the booking hall. That is important. We should all

welcome £44 million being spent to refurbish the Angel station. If these questions can be answered in the affirmative——

Madam Deputy Speaker: Order. I am extremely tolerant when I am in the Chair, but we are now going into deep water. I remind the hon. Gentleman—if I may have his attention—that this is a carry-over motion and that we are not now dealing with the details of the Bill. We are determining whether the Bill should be carried over into the next Session. The debate is therefore very narrow.

Dr. Marek: I apologise for straying into too much detail. I do not intend to detain the House for much longer.

Mr. Chris Smith: I urge my hon. Friend to allow the Bill to be carried over because the issues that he has raised have been resolved in the discussions between the various parties. Works Nos. 1 and 2 in the Bill cover the provision of escalators.

Dr. Marek: Let me justify my case, Madam Deputy Speaker, without going into the details. I hope that my hon. Friend will be able to satisfy me on this point. If so, I promise that I shall not raise it again. I shall listen to his comments and decide which way to vote. Obviously, escalators will be included, but will they be from ground level to the booking hall?

Madam Deputy Speaker: Order. We are going into the details of the Bill. I have drawn the hon. Gentleman's attention to the fact that we are not dealing with the details of the Bill. They have already been dealt with. We are dealing with whether the Bill should be carried over into the next Session. That is the only thing with which he should concern himself now.

Dr. Marek: I am slowly being hemmed in. If the Bill is carried over to the next Session, there will be plenty of time to consider all these details. I hope that we will be able to consider them carefully, to ensure that the Bill is right. We may sniff at £44 million, but the Government are now intending to allow London Regional Transport to invest that money. We all agree that that investment is necessary, but is it right? This money will be included in the public sector borrowing requirement.

Madam Deputy Speaker: The hon. Gentleman is now straying.

Dr. Marek: That is an important matter that we can discuss when the Bill has been carried over. I hope that I shall be able to support my hon. Friend the Member for Islington, South and Finsbury when he gives me an assurance that all those things will be looked at—perhaps they have been looked at and I need have no qualms whatsoever about supporting him in carrying over the Bill.

9.15 pm

Mr. Peter Hardy (Wentworth): My hon. Friend the Member for Wrexham (Dr. Marek) suggested that I intervene, and I shall do so very briefly. I shall certainly bear in mind your reminder to the House that this is a very narrow matter, Madam Deputy Speaker. I shall restrict my remarks to that narrowness.

My basic concern is about escalators and the time scale to which my hon. Friend referred. Occasionally I have to use Pimlico Underground station. During the past four or five months, whenever I have used the station, an escalator has been closed for what is said to be repairs. I was told that it was under repair last week, the week before, the week before that and way back in June or July. I am worried that if we agree to the carry-over motion, presumably it will be quite some time before the Bill is given further, and presumably final, consideration in the next Session, and it may be that the Pimlico escalator will be waiting for months while London Regional Transport tries to make sure that the £40 million or so earmarked for Angel station remains available for that station.

I feel somewhat hesitant about making that point because I have quite enough to do to represent my impoverished, hard-hit Yorkshire constituency, but since the Conservatives who control the City of Westminster spend their time selling public assets for extremely small sums of money, and, presumably, travel around in chauffer-driven cars and do not know what is happening to their constituents who have to climb down a very long staircase, which must be distressing for the aged and the disabled, I feel entitled, even though my constituency is 170 miles away, to offer this very narrow point for the consideration of the House.

Mr. Chris Smith: I am grateful to my hon. Friend for giving way. I would point out ever so gently that many hundreds of my constituents, many of them impoverished or elderly, have to walk up and down extremely antiquated, very steep stairs when the lifts at Angel tube station are out of action, as they frequently are. With the interests of those people in mind, I have been fighting extremely hard and vigorously for this Bill for many months.

Mr. Hardy: I commend my hon. Friend for the diligent service that he has given to his constituency. I was delighted to give way so that he could make that valid point. He is valiantly seeking to ensure that his constituents do not have to undergo the experience suffered by so many people in Pimlico as a result of the almost incessant failures to operate the escalators there.

Mr. Simon Hughes (Southwark and Bermondsey): I draw the hon. Gentleman's attention to the fact that the problem of non-functioning escalators in London is now substantial. Rotherhithe tube station in my constituency——

Madam Deputy Speaker: Order. I have intervened twice in the debate already to draw the attention of hon. Members to the fact that we are not concerned with individual escalators and lifts not working. We are debating a carry-over motion. I ask hon. Members to discipline their arguments to that.

Mr. Hughes: I was about to convince you, Madam Deputy Speaker, that it was a perfectly appropriate intervention. Constituents in London wish that we did not have so much carrying-over of repairs, and that we had less need to carry over the legislation. The sooner we get the legislation, the sooner we will get the repairs and the less need we will have for debates such as this.

Mr. Hardy: I usually find myself in substantial disagreement with members of the SLD, but I am glad that I gave way to the hon. Gentleman. He touched on an important matter, but he obviously disregarded the advice that you had given, Madam Deputy Speaker, about the

[Mr. Hardy]

narrowness of the subject. I shall not give way to the hon. Gentleman again because, clearly, he will be out of order if I do so.

Madam Deputy Speaker: I am sure that the hon. Member for Wentworth (Mr. Hardy) will remain in order.

Mr. Hardy: I have been in order from the start of my remarks.

I do not believe that we should oppose the Bill, because we should sustain the case put forward by my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith). The needs of his constituents are such that even if it leads to Angel, Islington, having a higher value on a Monopoly board, which it may as a result of the investment in his constituency, it is right that the elderly and disabled people in his constituency should have their interests served. I hope that the carry-over motion will be passed and that the legislation will move on rapidly. During the period of delay, however long it may be, I trust that London Regional Transport will find a corner of its heart, a little of its money and perhaps a trifle of its commitment to ensure that the escalator at Pimlico station is repaired after these many months.

Dr. Marek: I want to raise an important item which I should have mentioned earlier. It is not a detail, but is a major alteration. My hon. Friend will be aware that a London Regional Transport plan is to be published within the next few months. That will propose vital alterations to public transport in the London area. One of the suggestions is for a lozenge-shaped, fast transit system with one apex of the lozenge at Angel and the other in the south-west of London. That is a major plan for London and I wonder whether the Bill, if it is worth carrying over, will take account of any proposals that might come from that major addition to London Regional Transport.

Madam Deputy Speaker: Order. I ask the hon. Member for Wentworth (Mr. Hardy) not to stray down that road, but to return to the carry-over motion.

Mr. Hardy: I would not take up those comments, because my hon. Friend the Member for Wrexham may be causing difficulties. If he makes this matter more complex, there is a risk of delay. We must not give the Government too many things to think about at the same time. If we do, the delay will be considerable.

I do not oppose investment in transport. I have every sympathy with people who live in London, but I hope that those who live in south Yorkshire, who also need more money for public transport, will receive support. The pensioners in and around Hoober Stand, the highest point of my constituency, have no bus service, and many of them are too old to walk the considerable distance to a bus stop. People such as that need to be considered.

If we facilitate the Conservative Members who feel that London Regional Transport should have investment, we should congratulate them on their service and support for the public sector. It is nearly as commendable as the devoted service that my hon. Friend the Member for Islington, South and Finsbury has given to his constituency. I hope that Conservative Members will accept that a higher priority needs to be shown to public transport in other parts of the country, not just to the escalator at Pimlico, but to the pensioners and disabled in rural areas who have been hit harshly by the appalling public transport policies that the Government have slavishly pursued.

I hope that London Regional Transport will have heard my comments about the escalator at Pimlico. I certainly would not wish to oppose the progress that my hon. Friend the Member for Islington, South and Finsbury's constituency desperately needs.

Question put and agreed to.

Ordered,

That the Promoters of the London Regional Transport (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all fees due on the Bill up to that date be paid;

Ordered,

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

Ordered,

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

Ordered,

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

Ordered,

That since no Petitions remain against the Bill no Petitioners shall be heard before any committee on the Bill save those who complain of any amendment as proposed in the filled up Bill or of any matter which arises during the progress of the Bill before the Committee;

Ordered,

That no further fees shall be charged in respect of any proceedings on the Bill in respect of which fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

London Regional Transport (Penalty Fares) Bill *[Lords]*

Motion made, and Question proposed,

That the Promoters of the London Regional Transport (Penalty Fares) Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first time and shall be ordered to be read a Second time;

That any Petition against the Bill presented in the present Session which stands referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;—*[The Chairman of Ways and Means.]*

9.24 pm

Mr. Andrew F. Bennett (Denton and Reddish): I received some helpful assurances earlier from the Chairman of Ways and Means about the principles of private Bills. The Bill gives me an opportunity to return to some of the issues raised in the special Committee's report on private business procedure.

In the previous debate we witnessed what I often refer to as the blackmail effect, whereby hon. Members can block or slow down the effect of one Bill to peddle constituency interests or other interests. That is a common feature of transport Bills, especially those introduced by British Rail. Examples of London Underground stations not functioning efficiently can be brought to the House's attention on Bills such as this. Unless the promoters improve the Bill, hon. Members may delay it.

If it is reasonable for London Transport to impose penalty fares on people who do not have tickets, surely those people should be able to impose a penalty on London Transport if its facilities are not working. We have heard examples of such failings from my hon. Friend the Member for Wentworth (Mr. Hardy), who mentioned Pimlico, and the hon. Member for Southwark and Bermondsey (Mr. Hughes), who mentioned Wapping.

The Bill should not be promoted as a local private Bill. If people are to be subjected to penalty fares if they travel on trains and buses without a ticket in London, surely the same should apply in Bristol, Manchester, Birmingham or elsewhere. If penalty fares are to be introduced, they should be made the subject of national legislation moved by the Government so that people who move from one part of the country to another know exactly what the rules and regulations are and what the consequences will be if they do not obtain a ticket. There is no possible justification for having one scheme of penalty fares in London but another in Sheffield or elsewhere. The willingness of the House to allow carry-over motions or Bills such as this to proceed under the private Bill procedure is an encouragement to the Government not to take national measures but to allow private business to proceed in a piecemeal way.

Mr. Martin Redmond (Don Valley): One needs to consider all the issues involved while remaining in order. I have been fortunate enough to travel on trains on the continent. It was extremely useful to be able to buy one's ticket on the train. In this country, we have to pay before we get on the train. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) is rightly stressing the way in which penalty fares should apply throughout the regions. South Yorkshire had an excellent bus service before it was destroyed by the Tories. London Transport should be considering the system that we previously had in south Yorkshire, which was tremendously popular with the people of south Yorkshire. The tragedy is that British Rail appears to be learning nothing. It is merely seeking ways and means of collecting money, and I do not argue with that, but if people had concentrated their minds a little more we might not have had the tragedy at King's Cross that we discussed earlier today. British Rail should perhaps consider its priorities and try to ensure that people, when travelling, are a great deal safer than they are now.

Mr. Bennett: My hon. Friend illustrates the point. We should not be considering penalty fares in terms of piecemeal legislation of this kind. There should be one scheme for the whole country so that people who move from one area to another will know what the rules are. It seems very odd to have one set of penalties in one part of the country and another elsewhere. This is a good illustration of the need to develop national legislation to deal with the problem of fare dodgers rather than having individual Bills of this kind. It is thus a good example of a carry-over motion that we could defeat so as to remind the promoters of private Bills that they should not take the House of Commons for granted and should look for ways of developing public rather than private legislation. That would certainly be most useful.

If, on the other hand, the promoters succeed in getting their carry-over motion, they must consider how they intend to justify the penalty system contained in the Bill. The penalty for travelling on a bus or on the Docklands railway without a fare is a £5 fine, but on trains it is £10. In my experience, it is fairly difficult to get on a bus without paying a fare or having the opportunity to do so as there is usually a driver at the entrance or a conductor inside the bus to issue tickets. In most circumstances, therefore, it will be fairly clear whether a person is trying to avoid payment. Moreover, if a person does not have the necessary fare at that moment but has an urgent need to travel it is possible to explain the circumstances to the driver or conductor and hope to be allowed to pay later.

On the railways, and especially the Underground, however, the situation is far more complicated and it is fairly common for people to have to board a train without having had the opportunity to purchase a ticket. Service at Westminster tube station is generally very good, but at

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11.30 or 11.45 in the evening the individual in the ticket office may be busily engaged in counting the day's takings and unwilling to issue a ticket, preferring the would-be traveller to pay at the other end. That may cause considerable difficulty for the individual who, to satisfy the conditions laid down in clause 5 of the Bill, has to prove that there was no one available to issue a ticket. Perhaps the Minister for Roads and Traffic, who is present in the Chamber, can tell us whether a person busily counting the day's takings would count as a person available to issue a ticket even though he might not wish to be distracted from his counting and if the would-be traveller lingers any longer at the window there is a good chance that he will miss the last train. The position is fairly vague.

It is often quite difficult to tell whether it will be possible to obtain a ticket at a tube station. There may be a machine issuing 50p tickets, but all the other machines may be shut down and the ticket office closed. In those circumstances, difficulties may arise under clause 5(2)*(b)*(ii). We should not be considering this legislation through the private Bill procedure. Legislation on penalty fares should be national, not local, because it would then be subject to much more vigorous scrutiny.

A private Bill may or may not be debated on Second Reading. Often it goes through without debate because no one has been alerted to its consequences. A Bill dealing with penalty fares is not really of local interest, so unless someone is especially concerned about the civil rights of individuals——

Ms. Dawn Primarolo (Bristol, South): I do not quite understand what my hon. Friend is saying. Will penalty fares be automatic, regardless of any mitigating defence? For example, what happens if someone decides to extend his journey? What if he were given the incorrect fare when he began his journey? Will mitigating circumstances be taken into account, or will the penalty be automatic?

Mr. Bennett: I must be careful not to stray too far into the detail of the legislation as we are simply debating a carry-over motion. I refer my hon. Friend to clause 5, which deals with penalty fares in trains. I am sure that the fact that the wrong fare had originally been issued or that there was no one available to issue the ticket would be a reasonable defence. I am not sure whether changing one's mind during the journey would constitute a reasonable defence.

I am trying to explain why private legislation is not the best way to deal with these matters. At best, Second Reading takes place between 7 o'clock and 10 o'clock—a maximum of three hours. If votes have taken place at 7 o'clock, even less time is available. It is much too short a time to debate such a matter as the rights and wrongs of penalty fares. Following Second Reading, the Bill goes into Committee, where petitioners are heard. If a member of the public is well organised, he may present a petition against penalty fares.

The Government have the opportunity to put their point of view, but there is no opportunity for the detailed scrutiny that a Bill would normally receive in a Standing Committee. The number of Members serving on a public Bill Committee is substantial, and each has the opportunity to table amendments. There would be real scope for those outside to make representations to their Members of Parliament on, for example, what would constitute a reasonable defence—the question asked by my hon. Friend the Member for Bristol, South (Ms. Primarolo).

Although the public Bill procedure is not perfect—indeed, some would criticise it—it is far more effective than private legislation, which has a Committee of only four people who decide between different vested interests. They act almost as judges. The private Bill procedure is inappropriate for this sort of legislation.

Once a private Bill has been through its Committee stage, it returns to the Floor of the House, and I accept that, from then on, the procedure for Report and Third Reading is exactly the same as that for public Bills. There is a tendency for private Bills to be nobody's responsibility. The Government have a responsibility to put forward public Bills, and the Opposition have a responsibility to scrutinise them. The issues in Bills are then examined. Private legislation is promoted by organisations outside the House. They persuade an hon. Member to pilot a Bill through the House, and often give that hon. Member little information about it. It is then merely a matter of luck whether other hon. Members take the trouble to read the Bill.

I have been amazed at the number of occasions on which I have picked up a Bill, started to raise one or two points in the House, and then other hon. Members have raised a series of other issues because they have taken the trouble to read the Bill and see its implications. It has often been pure chance that I have taken any interest in certain Bills.

It is inappropriate to use private legislation for such a fundamental principle as whether there should be penalty fares for fare dodgers. If fare dodging is a national problem, it should be subject to national legislation.

The way in which private and public legislation can be muddled is interesting. This is a private Bill, and its promoters have tried to get it through Parliament on that basis. However, there is a problem with private legislation, and that is how to take account of inflation when setting fees. The promoters then dodge the problem by using the public Bill procedure to allow the Secretary of State, by order, to prescribe any increase.

We have a peculiar situation. Although the Bill has short-circuited the normal scrutiny of a public Bill to catch fare dodgers, when they consider whether £5 or £10 will be appropriate for all time, the promoters turn to the dodge that, in future, the Secretary of State will be able to lay an order to increase or decrease the amount. They then follow the procedure of least parliamentary scrutiny, and that is to lay an order that is subject to annulment. All hon. Members know the difficulties in praying against an order and defeating it. The process is in favour of the Government and stacked against ordinary hon. Members. If it is reasonable for the promoters of the Bill to take powers to require the Secretary of State to vary penalties from time to time, the matter should be subject to an affirmative order. It will be possible for the House to debate that point when the Bill comes back to the House.

On this occasion it would be useful for the House not to support the motion and for the Bill to be lost at this point. If London Regional Transport or any other transport undertaking considers it necessary to have penalty fares, it should lobby the Department of Transport to legislate on penalty fares so that people know exactly what is happening.

9.45 pm

Mr. Peter Hardy (Wentworth): I echo the comments of my hon. Friend the Member for Denton and Reddish (Mr. Bennett). I do not intend to detain the House for long, but I have considerable sympathy with the argument, and I can illustrate it by telling the House about my experience this week.

Earlier this week, I had to go to Bonn. I could not go the night before, because we were busy opposing another piece of private legislation even more pernicious than this one. I had to get up quite early in the morning to go to Heathrow. When I got to the Underground station, no one was there. As I had to catch the early flight to attend my meeting, I had to board the train without a ticket. Obviously, one pays at the other end. As far as I can see, one cannot get out at Heathrow without paying, and it was certainly not my intention to do so. I strongly disapprove of those who do not pay their way. There are far too many tax dodgers on the Conservative Benches for us to endorse any other view.

I had completed about three quarters of my journey when an inspector boarded the train. I explained that I could not buy a ticket because there was no one at the Underground station where my journey had begun. He was extremely courteous, and I paid my normal fare. It is wrong that even in London, where there is high unemployment, those responsible for public transport cannot employ people to sell tickets at the beginning of a journey.

Mr. Redmond: I know from experience that my hon. Friend is impeccably dressed when he travels abroad to represent this country. I wonder what the ticket inspector's attitude would have been had my hon. Friend been wearing overalls? The inspector may have assumed that my hon. Friend was seeking to dodge paying.

Mr. Hardy: As a matter of fact, a young man wearing jeans, which were not particularly new—I think that is the most charitable way of putting it—was in exactly the same boat and he was treated with considerable courtesy by that honourable and experienced inspector or ticket collector. However, the fact remains that that inspector could have been subject to considerable criticism and abuse because people do not like being put in a position of having to travel without a ticket simply because of the mean approach to the employment of people. As I have said, there is high unemployment even in London. It seems that our society has reached a point where adding to the labour force is regarded as almost a crime if there is any way to avoid doing so. It seems absurd for us to pass legislation that will strengthen that reluctance to employ people and to give them responsible jobs.

My hon. Friend the Member for Denton and Reddish is right. This is not the way to deal with matters that involve such serious principles. We should argue this approach in a proper debate, not in this travesty of a procedure where most Members of Parliament feel that, as this is a matter for London Transport, it is not for them. I believe that the principle is important, and I am delighted that my hon. Friend has suggested that we should ensure that there is a substantial debate. I hope that the Minister will comment on this matter——

The Parliamentary Under-Secretary of State for Transport (Mr. Peter Bottomley) *indicated dissent.*

Mr. Hardy: Well, he should, because he is saying that people are to be frequently placed—perhaps more frequently placed—in the embarrassing position of having to board public transport without having paid the fare and then run the risk of being criticised, embarrassed or made to feel guilty when there are no grounds for criticism, embarrassment or guilt. The Government have a responsibility, and the Minister should be asked to reconsider his negative response—a curt shake of his head—to my suggestion that he intervene.

There is an element of confusion in clause 5(2)(a), although perhaps lawyers in the House would not find it as confusing as I do. It seems that the Minister, or the sponsor of the Bill, may say that my point about people travelling without a ticket has been covered. Clause 5(2)(a) states:

> "A person . . . shall not be liable to pay a penalty fare under this section if at the time when and the station where he started to travel on the train service there were no facilities available for the sale of the necessary fare ticket for his journey."

In other words, he may be excused.

It is a bit much that we have to pass a Bill to say that people will be excused a penalty when they are not in any way at fault. Would it not be better to ensure that such a position never arose? Would it not be better to ensure that we do not clutter the House of Commons with unnecessary private legislation when proper employment policies could be pursued? Is that not a sufficient argument for the Minister to take the trouble to get to his feet and say a word or two on the subject? He should reconsider it.

The confusion is that, while there appears to be some degree of exclusion in clause 5(2), paragraph (c) states that if a notice was displayed or an authorised person in uniform gave permission, the penalty would not be applied. If clause 5(2) is satisfactory, why do we need paragraph (c)(i) and (ii)? The Bill should be reviewed and the principles considered. London Transport and any other public transport authority should ensure that it employs a sufficient number of people so that ordinary decent citizens are not severely embarrassed.

9.50 pm

Mr. Harry Cohen (Leyton): I shall not detain the House for long.

Mr. Peter Bottomley: That is a nice tie.

Mr. Cohen: Yes, I have a nice tie, and a nice pair of braces too, which I am wearing for the first time tonight. But I digress. The Minister is leading me down the wrong path.

I do not object to the carry-over motion, although I agree that this matter should be subject to national rather than local legislation. I agree, too, with my hon. Friend the Member for Wentworth (Mr. Hardy) that tickets should always be available for people when they set out on a journey. They should not be forced to travel without tickets. That relates to employment, and people should be employed in those jobs as they provide an important service.

I am worried about penalty fares and would not like them cast in stone. There must be flexibility. All hon. Members will know of cases of violence against those who work on our buses and tubes. There have been appalling cases, involving deaths. Only recently work was stopped at Leyton garage for the funeral of a bus conductor who was

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assaulted and died as a consequence. I am worried that if we set penalty fares in stone they could become a reason for violence. Even if the sum involved is small, a person who does not have that small sum might think it better to hit the conductor or driver and get away without being caught. At present there is a big advertising campaign about getting a ticket rather than a criminal record, and I agree with that, but violence is connected to that.

Mr. Andrew F. Bennett: Does my hon. Friend agree that if inspectors are expected to collect penalty fares, as is proposed, the inspector will end up carrying large sums if he catches many offenders? The legislation should discourage people from carrying substantial sums. The more we can persuade people to pay other than in cash, so that no one is tempted to assault an inspector and grab the money, the better. If this were national legislation, we should consider the safety of inspectors who collect penalties.

Mr. Cohen: That is an excellent point. I agree that in the present climate vast amounts of money should not be carried around because that is almost an invitation to assault.

I have not been fully briefed by LRT—perhaps other hon. Members have—about potential violence and how it could flow from penalty fares. The promoters do not seem to have made that clear. For example, have the trade unions been consulted? I should have thought that that was vital.

I acknowledge that the courts have an important role to play. In general, I favour lighter penalties. I make no bones about that. This country imposes some of the heaviest penalties in Europe. I think that sentences should be much lighter. However, we should take into account the social element in sentencing and the courts must deal rigorously with assaults on bus drivers, tube workers and others in the public transport services. I am in favour of harsher sentences in those circumstances.

There is also the question of fares. At the moment, fare increases are well above the rate of inflation, and that seems to have been so for a number of years. That may mean that more people will be tempted to try to avoid paying their fares, which again could lead to potential violence. I should not object to penalty fares if they were being introduced against a background of cheap fares, giving people no excuse for trying to avoid payment, but while fares are increasing well above inflation there is a problem.

Mrs. Audrey Wise (Preston): Clause 8 requires a person to give his name and address if he cannot pay the penalty fare immediately. Has LRT considered that if a person's name and address are on the computer the information must then be covered by the Data Protection Act 1984? There seems to be no recognition of that in the Bill.

Mr. Cohen: That is a very good point. I was once described by a Home Office Minister as an aficianado of data protection. If I went into that question, I would be here all night.

I have expressed my view about the potential for violence. I would ask LRT to comment on how penalty fares may affect it.

9.58 pm

Dr. John Marek (Wrexham): I take part in the debate as a Member sponsored by the National Union of Railwaymen, but I also have a personal interest in ensuring that the Bill is the best that can be produced. It seems to me that it would not do any harm for LRT to take the Bill away and bring it back in a much improved form.

My hon. Friends have made all the points that need to be made. It is important that those who have to exact penalty fares should not be subjected to violent attacks. Would it not be better if the system were properly staffed so that it was difficult to escape payment? That would mean that fewer penalty fares would have to be collected.

Clause 5(5) implies that a person is guilty until he can prove himself innocent. Surely it would be better to phrase that provision so that a person is deemed innocent until proved guilty. I wonder whether the employees represented by their unions have been properly consulted.

It must be in the interests of everybody that no one should get away with not paying the proper fare. That is anti-social, wrong, and it should be stopped. But should it be stopped in this way? I do not believe that the Bill is the right way forward.

It would not do any harm whatever for London Regional Transport to take the Bill away and perhaps talk to the unions, the London boroughs and people in the community to find out how they would want such a system to operate.

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed on Monday 14 November.

Consumer Protection

10.1 pm

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): I beg to move,

That the draft Consumer Protection Act 1987 (Commencement No. 2) Order 1988, which was laid before this House on 28th July, be approved.

The purpose of this commencement order is simply to put into effect the provisions of the Consumer Protection Act 1987, which repeal the Trade Descriptions Act 1972. I am aware of the widespread concern that the prospect of this repeal has aroused, both publicly and in this House, since it was announced in October 1986. The issues here are more complex than they might at first appear and have not always been perfectly understood. I hope, therefore, that it will assist the House if I spend a little time outlining the background.

The 1972 Act requires goods made abroad but supplied here bearing a United Kingdom name or mark, or anything likely to be taken as such, also to be marked with a conspicuous indication of their country of origin. I should stress that the Act does not require United Kingdom-made goods, nor imported goods without markings, to be marked with their country of origin. Nor does it require goods to be origin marked as a condition of entry to the United Kingdom. This has not been required since 1968.

The 1972 Act originated as a private Member's Bill in response to fears, especially on the part of industry, that imported goods would be widely supplied under well known United Kingdom brand names which could suggest that they were of United Kingdom origin. Those fears sprang from the ending of compulsory origin marking of imported goods as a result of the Trade Descriptions Act 1968. That Act revised and reformed the then existing merchandise marks legislation, but did not re-enact the origin marking requirements of the Merchandise Marks Act 1926. The 1926 Act, first, required the origin marking of imported goods bearing the names of United Kingdom traders; and, secondly, conferred powers to require the origin marking of unmarked imported goods, either at point of sale or of import. By 1968 more than 100 such orders had been made in relation to specific goods. They were preserved for a transitional period of three years. The object of the Trade Descriptions Act 1972 was then to re-enact the principal requirement of the 1926 Act at the end of that transitional period.

That was supplemented in 1981 by the Trade Descriptions (Origin Marking) (Miscellaneous Goods) Order, which required virtually all clothing and textiles, footwear, cutlery and domestic electrical appliances to be marked with their country of origin at the point of retail supply, irrespective of whether the goods were made in the United Kingdom or abroad and whether or not they bore any brand names or trade marks. The order was made on the basis that such information was generally useful to the consumer.

Fairly soon after it was made, the order was the subject of European Community infraction proceedings and, although vigorously defended by the United Kingdom before the European Court of Justice, it was found to be incompatible with article 30 of the treaty of Rome, which prohibits barriers to imports between EC member states. In the court's view, the effect of that legal obligation was to enable consumers to distinguish between domestic and imported goods, and thus to assert any prejudices that they might have against products solely because of national origin. This was likely to have the effect of increasing the costs of imported goods and of making it more difficult to sell them on the United Kingdom market. The court also rejected the argument that the requirement was necessary to protect the consumer. If it were advantageous for manufacturers to indicate national origin, they were quite free to do so voluntarily and legal compulsion was unnecessary. The protection of consumers was adequately safeguarded by measures prohibiting false or misleading indications of origin and these measures were not called in question by the treaty.

As the House knows, two years ago the European Community Commission commenced further formal infraction proceedings against the United Kingdom on the ground that the 1972 Act was also incompatible with article 30 of the treaty of Rome. After careful consideration of the legal position, especially the earlier decision of the court, we concluded, reluctantly, that the United Kingdom could not expect to be successful in defending the Act.

I think that it is important that the current Commission challenge is seen against that background. Article 30 of the treaty prohibits quantitative restrictions on imports between member states or measures having equivalent effect. Case law has established that this includes any trading rule enacted by a member state which is capable, directly or indirectly, actually or potentially, of hindering intra-Community trade. The treaty provides certain exceptions to this rule, but they do not include the purpose of consumer protection other than the protection of health or life. Again, however, the case law has recognised this as a legitimate purpose for national measures provided that certain conditions are fulfilled. In the context of the 1972 Act, the major considerations are that a measure must serve a necessary consumer protection requirement; that it must be proportionate to that purpose, that is to say, it must go no further than is necessary to achieve it; and that there must be no discrimination between United Kingdom goods and those of other member states.

While we and the Commission fully accept the necessity of protecting consumers from misleading indications, I am afraid that the 1972 Act clearly exceeds those conditions. To begin with, it imposes no requirements in respect of British-made goods: it applies only to imported goods, including those from other member states. The original complaint triggering the EC's challenge was from a multinational company that was the proprietor of the same trade mark in all the member states. It produced goods in a number of member states. Because it applied its own trade mark to those goods—a "UK mark" by definition under the 1972 Act—it was obliged also to indicate the country of origin on those goods in order that liability to prosecution would be avoided when the goods were supplied in the United Kingdom. Clearly, therefore, the Act discriminates between United Kingdom goods and goods from other member states.

While the 1972 Act may have been conceived originally to prevent the consumer from being misled about the origin of goods, in this case by using the criterion of United Kingdom names or marks, it goes considerably further than that. Virtually any name or mark used in trade in the United Kingdom falls within the definition of

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United Kingdom name or mark, whether or not there is anything potentially misleading about it. Names such as Renault or Volkswagen are, as defined by the Act, United Kingdom names, and country of origin must be indicated even though there may be no question of the consumer being misled as to the country of manufacture. Such names applied to goods made here would not require origin markings. Similarly, a trade mark in the form of a logo or purely pictorial device is deemed by the Act to be potentially misleading as to origin, even in cases where it carries no such connotation. In those respects the requirement to origin mark goes further than is necessary to prevent consumers from being misled, which is a recognised consumer protection purpose.

I have spent some time explaining why it is not realistic for the Government to take this issue before the European Court of Justice. I have done so because I believe that this may not have been fully appreciated when the issue came to a head in late 1986, and in subsequent exchanges in the House during the passage of what is now the Consumer Protection Act 1987, when there was a feeling that the Government should have pressed the matter to that end. I hope that I have demonstrated to the House's satisfaction that this would serve no purpose.

More positively, however, when we accepted the Commission's view of the 1972 Act in terms of EC law, we also made it clear that the United Kingdom intended to institute a successor regime, compatible with treaty obligations, to take effect upon the repeal of the 1972 Act. My predecessors made this clear in answer to a parliamentary question by my hon. Friend the Member for Southend, East (Mr. Taylor) on 1 December 1986, in subsequent answers to other hon. Members and in the debates on the then Consumer Protection Bill.

A second order, the Trade Descriptions (Place of Production) (Marking) Order—which I will call the marking order—was also laid before the House on 19 October to fulfil this commitment. The marking order represents the outcome of wide and lengthy consultation with interested parties, and we have also secured the acceptance by the EC Commission of its terms. Although the marking order is not the subject of this debate, it may be helpful to the House if I explain what it does.

The marking order is made under the Trade Descriptions Act 1968. This Act makes it an offence for a person in the course of a trade or business to apply a false, including misleading, trade description to goods, or to supply or offer to supply goods bearing such a description. A trade description is any indication given in respect of a range of characteristics of goods, including their place of manufacture or production. The Act does not, however, give any guidance as to the circumstances in which a possibly misleading, as distinct from a false, indication of origin should be corrected, or how that should be done. Section 8 of the Act, under which the marking order is made, confers powers to require the marking of goods with information.

The aim of the marking order is, therefore, to set out the circumstances in which a positive, corrective indication of origin is required in order not to commit an offence under the 1968 Act. The essential trigger mechanism is whether the presentation—that is, the packaging, marking, get-up or other indications—of goods would create the impression that they were made somewhere other than where they were actually produced or manufactured. Regard must be had of the totality of the presentation of goods, although certain relevant indications, such as flags, names, persons and so on, are specified in the schedule to the order. Failure to mark goods in the circumstances in which this is required would amount to an offence under section 8(2) of the 1968 Act by anyone supplying or offering or exposing for supply the goods in the course of trade or business.

I outlined earlier the limits imposed by European Community law on national measures of this kind. The marking order does not protect any one national origin. It would apply to misleading suggestions of, for example, German origin as well as of United Kingdom origin. There is, therfore, no element of discrimination against other member states' goods. In European Community terms, as I have said, the 1972 Act may be attacked on the grounds that it is applicable only to imported goods and is directed only to the potential for consumers to be misled as to United Kingdom origin. Moreover, the 1972 Act relates to the use of United Kingdom names or marks per se, whether or not they necessarily suggest United Kingdom origin. The marking order is intended to apply in any circumstances in which purchasers are likely to be misled, and is therefore concerned with the totality of the presentation of goods. The use of a particular language or trade mark is not in itself to be considered as necessarily indicating a particular origin, but, taken in the context of the presentation of the goods as a whole, it may be.

The marking order has been clarified and revised in a number of ways as a result of consultation on its terms. In particular, it now requires a statement of the country of origin of goods as distinct from any other expression of their place of manufacture if the latter could in itself be misleading. If, for example, goods were marked "Made in Sheffield" when they were supplied in the United Kingdom and in reality that marking refers to one of the Sheffields in the United States of America, then the actual country of manufacture would have to be shown. I think that this should allay the concern of manufacturers who pointed to the use of specific place names on goods made elsewhere with the apparent intention of misleading.

The marking order comes into effect on 31 December this year.

I think it is fair to say that, in consultation on the marking order, interested parties—industry, trade, consumer associations and enforcement agencies—have generally accepted that there are now very clear limits on the scope for compulsory origin marking and that the order represents the most that is workable on a national basis, within the confines of our European Community obligations.

I am well aware, however, of continuing concern about orgin marking in the wider context, primarily about goods made elsewhere in the world which are supplied here bearing well-known European names, United Kingdom or otherwise. While such names may not in themselves indicate origin, they may well be closely associated with goods from specific countries or places. Consumers might well assume from some brand names that, for example, electrical or electronic goods were of German or Japanese origin, simply because of such generalised associations. It is not possible, as I have indicated, to go this far in our

national legislation on a unilateral basis, and the only possible solution to these outstanding concerns is a European Community regime.

Although the European Community Commission has not, in the more recent past, shown any positive enthusiasm for such an approach, it was not clear whether that reflected the views of the majority of member states. It appears that most member states have some form of regulation of origin marking. A number have modified their requirements as a result of infraction proceedings by the European Community Commission and we understand that several currently face such proceedings in respect of their national legislation. In the light of this, we decided that a way forward might be to establish whether there is any consensus among member states on the desirability of a Community origin marking regime. Such a regime might, of course, take one of a number of forms —for example, a Community-wide requirement, along the lines of the 1972 Act, requiring the country of origin to be indicated when imported third-country goods have the names or marks of persons carrying on business within the Community. I have received a good measure of support from United Kingdom industry for such an initiative, and it is one which I am pursuing. I have written both to the Commission and to my opposite numbers in the other member states on this issue. However, I have to warn the House that progress will be neither easy nor speedy. I have spoken at some length about the past, present and future considerations surrounding these developments——

Mr. Roger Gale (Thanet, North): Before my hon. Friend leaves that point, and appreciating that it could take some time to get a European mark, will he confirm that there is nothing in the legislation to prevent a "Made in Britain" mark being applied? What efforts are his Department making to encourage a perhaps even better "Made in Britain" mark to be applied?

Mr. Forth: I am glad that my hon. Friend has raised that matter because it is important. I can confirm that there will be nothing to prevent companies that make goods in this country from telling the consumer that that is the case. They will be free to do so if they feel that doing that is in their interests. As people have confidence in the quality of British goods, I am sure that that will be the case. Whether or not it would be for the Department of Trade and Industry to play any part is quite another matter. I think that there is sufficient incentive for companies to do that, and nothing in the order would prevent them from doing so.

Within the constraints imposed by our Community obligations, we have achieved as satisfactory an outcome in this difficult area as it is reasonable to expect. I commend the order to the House.

Mr. Speaker: I should have announced to the House that I have not selected the amendment.

10.15 pm

Mr. Austin Mitchell (Great Grimsby): I congratulate the Minister both on his appointment and on the passion and eloquence with which he moved this interesting order. He is positively becoming an oratorical Demosthenes of orders. It could not have happened to a nicer guy.

The order shows the reality of grovelling subservience to the Common Market that lies behind the Government's oratorical flourishes against the Market. We see the spectacle of the Prime Minister going round in the broad light of day making loud anti-Common Market and anti-communautaire noises so that she is becoming almost the football hooligan of Europe. It is reported that, when President Mitterrand was asked why he has bilateral talks all the time with the West German Chancellor and does not include Mrs. Thatcher, he said, "Because she disturbs us." That is the noise that the Prime Minister is making for home consumption to conceal the reality of grovelling subservience that we see in the order tonight.

We see that subservience in the abdication over the Cloft scheme for aid to the wool industry and we saw it when the aid for Rover was reduced. We see it in the VAT debacle because VAT has to be imposed on new construction. We see it in the increased taxation on beer to bring it up to the level of wine, in the way that the Single European Act was rushed through the House and in the way in which the increase in contributions has been conceded almost without a murmur despite the fact that last year our net contribution to the budget was £1·7 billion. All that is the reality of subservience behind the Prime Minister's loud anti-European noises.

Mr. John Redwood (Wokingham): Why does the hon. Gentleman think that good cross-party democratic debate is right in this national Parliament and but that the Prime Minister should not be allowed to indulge in good, hard-hitting political debate in Europe even though she has a good vision of Europe and wishes to persuade other nation states in Europe of that vision?

Mr. Mitchell: The answer is straightforward. The Prime Minister is doing this as a tactic for home consumption in order to conceal her own subservience to the EC which is illustrated in this order.

Effectively the Common Market has got us by the rebates. A rebate was conceded to Britain as a gesture, but it was not accompanied by any reform of the fundamental financial basis of the Common Market. We can be threatened with revocation of that rebate and the Prime Minister can be kept in line. She gets that rebate quamdiu se bene gesserit. I use that Latin phrase in order to confuse today's Tory party, which has no noblesse and certainly no oblige and which almost certainly does not understand the language taught in the public schools. If Mrs. Thatcher does not obey the instructions——

Mr. Speaker: Order. The hon. Gentleman must refer to the right hon. Lady as the Prime Minister.

Mr. Mitchell: I apologise, Mr. Speaker. If the Prime Minister does not obey the instructions and accept the humiliations that are forced on her by the EC, the rebate will be effectively revoked. Tonight, in this order, we are rushing to submit—without even being instructed to submit—to what we think the European Court will want us to do. There can be no procedure more humiliating than that.

The 1972 legislation that we shall eliminate through this order was right and fair, has worked well and is a vital piece of consumer protection. It is an opportunity for people to encourage domestic industry by discriminating in their choice against imports. It is a right for those who want to say, "I would rather support jobs in this country than pay increased taxation to support the large numbers of unemployed generated by the scale of imports,

[Mr. Mitchell]

particularly from the EEC." The EEC has about 40 per cent. of the car market in this country and it is people's right to discriminate against that in their choices.

It is also people's right to discriminate against regimes of which they do not approve. I draw attention particularly to the question of the boycotts by individuals or Governments of South African produce. That is one way of bringing that country to make concessions domestically. South Africa needs a trade surplus to offset the huge cost of capital flight and its debt repayments. If Governments will not do that—and Governments should do that—the consumer should have the right, by knowing that the origin of goods is South African, to discriminate against them. We can discriminate through the 1972 legislation against manufactured articles that come into this country from South Africa—the kitchenware, plastic goods, paper, printing, textiles and finished garments. There is a right and a principle case for consumers to be able to discriminate against goods of whose origin they disapprove and thus bring effective pressure to bear on those regimes. That right is effectively eliminated by the order.

The order also eliminates information behind consumer choice. Consumer organisations have objected to the repeal of the 1972 legislation because the information that allows consumers to choose is important. Consumers need to know where the materials that they buy come from. All that choice, discrimination and educational information sanctioned by the 1972 Act will be struck down. Although that Act was a private Member's measure, it was actively supported by the Government. The Under-Secretary for Trade and Industry at that time, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), spoke of it as

"a Bill which is not in conflict with our international obligations or, indeed, the whole drift of thinking on world trade".

He said that the Bill should be supported for the right reason because

"it would afford a greater measure of protection against deception of the consumer, and I commend it to the House."

He also said:

"For example, a consumer might want to buy British goods instead of South African goods because he is patriotic or because he is antipathetic towards the country concerned. That is a valid reason for a consumer's choice".

That reason for consumer choice is being removed. The right hon. Gentleman went on to say:

"As far as I know, the Common Market Commission has not proposed any common action on this and has no direction under consideration. It is a matter left primarily to individual nations."

When the then hon. Member for Sheffield, Hillsborough, Mr. Darling, commented

"I do not think that issues of this sort appear in the Rome Treaty. I am sure that if there is any contravention the Under-Secretary will tell us."

the right hon. Gentleman replied:

"No."—[*Official Report*, 25 February 1972; Vol. 831, c. 1682 and 1734.]

I do not know whether that was a case of the right hon. Gentleman being his normal, helpful self and refusing to answer the question. I take it that he meant that that did not contravene the treaty of Rome, yet that is exactly why we are now repealing this legislation. It is humiliating for this country to have to repeal valid legislation in that fashion without even being told or instructed to do so. We are doing so voluntarily, as a submissive offering.

As it was projected in 1972, when we were told that it did not contravene the treaty of Rome—although we are now told that it does contravene the treaty of Rome—it was just another item on the agenda of deceit that was presented to the country to persuade it to join the Common Market in 1972. It was on a par with Lady Tweedsmuir in the other place saying that there would be a veto over fishing legislation. It was on a par with the pamphlets that were distributed saying how much better off we would be and how much better the weather would be if we entered the Common Market.

The Minister has told us the sad saga that has forced us to withdraw valid and important legislation passed in 1972. The order of 1981 was struck down under article 30 of the treaty of Rome. It is nonsensical because one of the countries that objected to that was West Germany which is foisting on the Common Market butter imports from East Germany, with no hint of their origin, as if they were produced in the Common Market. It is nonsensical because this country has a higher proportion of its domestic markets taken by imports—particularly EEC imports—than any other country within the EEC. Yet our legislation is attacked in this fashion and our Government rush to submit to the EEC before they have even been asked.

Mr. Keith Mans (Wyre): Will the hon. Gentleman confirm that in 1972 his party opposed the legislation that he now supports?

Mr. Mitchell: My party supported the legislation in 1972 for a number of very good reasons which the hon. Gentleman will see if he reads the debate. Therefore, he is incorrect.

The Government are incorrect to submit to the Common Market before being asked. It is not as if the European Court which struck down the 1981 order was a body dedicated to the pursuit of abstract justice or to a serious consideration of the issue. The European Court, which this country has an instinctive tendency to obey, is machinery for pursuing European federalism, for advancing the case of a stronger, more united Europe. That is its commitment. It is not a legal court deciding on the abstract justice of the case. Its purpose is to advance European unity, and it is doing that through this kind of legislation. Therefore, we should not rush to submit to that court or to its decisions.

Other countries have a long backlog of judgments against them on which no action has been taken by the Governments concerned. As the Minister pointed out, other countries in the Common Market—and I wish that he had listed them—have origin marking legislation which has been left intact and which has not been struck down in the way that our legislation has, although our country imports most from the EEC. Other countries have various ways of getting around the decisions of the European Court, particularly through legislation passed at regional level or decisions taken at regional level by the German lander, for example, which the court is very slow to deal with. Yet we rush to obey the European Court as if it were some abstract decision on the justice and merits of the case. It is not, and we should not rush to obey it before being asked.

We have tied our own hands by passing the European Communities Act 1972. If we continued to enforce the law of 1972, and if an importer contested or defied that law, we could not bring him before our courts because our courts would have to rule that European law was superior to ours, because of the European Communities Act 1972. That is the humiliation. The Prime Minister should do something about that matter rather than talking a lot of hot air about her sentiments on the Community when our hands are tied. She should be tackling that issue. Only on that basis can she say what she does.

Mr. William Cash (Stafford): Is the hon. Gentleman arguing for withdrawal from the Community? Effectively that is what he is saying. Is it not entirely at variance with what is being said by members of his Front Bench, the Leader of the Opposition and Jacques Delors?

Mr. Mitchell: Personally, I would take the cash in hand and waive the rest. But if the hon. Gentleman had been listening to what I was saying, he would have realised that that is not in any sense what I am arguing. The Prime Minister is beating the anti-Market drum and whipping up support at home while the Government are submitting to every humiliation that the Commission lays before us. The only way to create a certain amount of distance, which we will have to create if we are to rebuild British industry and make the economy strong, is to repeal section 2 of the European Communities Act 1972. It is the Prime Minister's decision, not mine. That action should be behind her words, particularly when we remember that we have turned the 1970 surplus in manufactured trade, which at today's valuation would be about £4 billion, into a deficit which is this year running at £14 billion on an annualised rate. That is a turnround of £18 billion in manufactured trade and represents the export of more than 1 million jobs to the EEC. In spite of that, the Minister is asking us to submit to the humiliation of repealing our own legislation before we are even asked to do so.

The Government have twisted and turned on origin marking. They have tried to decide what to do and have held consultations. The order that is still to come is the Government's fig leaf. They have been saying, "Don't press us on this issue. We shall produce something good." Fortunately, we shall have a chance to debate that issue again, and that is welcome. I am worried about what the Government will put in place of the Trade Descriptions Act 1972. I do not think that it will be adequate. An order under the Trade Descriptions Act 1968 deals with goods only if they are presented in such a way as to deceive the purchaser about where they are produced. The new legislation might be called the Amstrad order. What will the order do about Amstrad or Ford cars which are not made in Britain? What will it do about Vauxhall—a British name—cars, most of which are imported from the EEC? We are worried about what the effects of the legislation will be. It will be no satisfactory substitute for the 1972 legislation, which we should not have rushed to strike down in this way.

The 1972 Act has served us well. It is humiliating for the Government to strike it down. We do not propose to support them in their humiliation. We are against the repeal of the 1972 legislation. Rather than voting against them, we propose to subject them to the more exquisite torture of letting them dangle in their own wind for their own supporters to deal with. I do not propose to embarrass the hon. Members who signed the amendment, which has not been called. I am sure that those hon. Members will have the courage of their convictions. I do not propose to embarrass them by bringing the Opposition into play in their support because that might frighten them off. They might be afraid that they will defeat the Government. I want them to have the guts to vote in support of the views expressed in the amendment, which is right. They can do it. They can resolve the Government's schizophrenia in the only way it can be resolved—within the Tory party itself.

10.33 pm

Mr. Teddy Taylor (Southend, East): Most of us are delighted to see my hon. Friend the Minister on the Front Bench, knowing that he has made some dramatic and impressive speeches from the Back Benches. However, he gave the impression tonight that perhaps his heart is not in his case. I may be entirely wrong. It is fair to say that having a debate of this magnitude late on a Thursday gives the impression that no one will be aware of it or take note of it, except possibly that splendid organisation on Radio 4, "Yesterday in Parliament".

It is interesting to see the number of Conservative Members present at what would otherwise be a debate in the presence of three or four of the old faithful. That shows that Conservative Members are beginning to become worried—my right hon. Friend the Prime Minister spoke of this in Brussels—about the transfer of power to Brussels and decisions of Parliament being changed by foolish bureaucratic decisions.

We should appreciate what we are being asked to do. We are being asked to repeal, root and branch, an Act that was passed unanimously by Parliament in 1972. It was supported by Ministers because it made a major contribution to consumers. It provided them with information, it was not in conflict with our international obligations and, most important, it afforded the consumer a greater degree of protection against deception. We are repealing an Act that every hon. Member supported because it was good for consumers and because it gave information that would help them. We are chucking out that legislation and destroying it because of the views of the non-elected EEC Commission.

My hon. Friend the Minister will know that it does not matter whether the order is approved or rejected. The Government do not have the power to implement the 1972 law because of the Commission's views, and because of a decision of the European Court. To that extent, the order is irrelevant, but it is important constitutionally.

Why are powers being taken away from the people? Why should housewives not know where goods are made? Why do they want to know? Ministers have said that, for different reasons, people might want to support British industry. The marking of goods created jobs and helped our trade balance. It encouraged British industry, and we should be concerned about that at a time when the Government's economic policy is being put at risk by a trade deficit, almost all of which is with the EEC.

Some people have prejudices and do not like certain foreign countries. Some do not like the Soviet Union, or South Africa, and say, "Given the choice, I should prefer not to buy goods made in that country." Some, for good or bad reasons, think that goods made in certain countries are reliable, but that those made in others are not. Many of our constituents take such decisions daily.

Why is that right of choice being destroyed. The EEC Commission said that

"it enabled consumers to assert any prejudices that they might have against foreign products."

If consumers are told the truth, how will it distort trade in Europe? If something is made in France, Germany, Japan or Taiwan, why should consumers be denied that information by the action that we are taking tonight? Why should the unanimous decision of Parliament be overturned merely because of the views of the EEC Commission?

There is another aspect of the matter about which colleagues will be genuinely concerned. We have recently witnessed the changes in the EEC's powers to deal with dumping. Dumping used to be selling goods cheaper than cost price or the price charged on the home market. The Commission has extended that to market share. Before the Trade Descriptions Bill was approved by Parliament on 25 February 1972, the Government were asked specifically, because we were contemplating membership, whether it would be contrary to the treaty of Rome. The clear and precise answer given was that it would not be contrary in any respect.

The action that we are taking tonight is important constitutionally. Whether we approve the order or not, the Act will be dead because of the Commission's decisions. What we do tonight does not matter at all.

On the other hand, it is vital for us to realise what is happening to our country and our sovereignty. EEC bureaucracy, which is non-elected, is requiring the British Parliament to overturn a measure designed to inform and protect consumers which we passed after weeks of debate. To that extent, what we are doing is serious and we are right to draw attention to what is happening.

I hope that the Prime Minister's words in Bruges will reflect a change in our attitude towards the EEC. We are in the Common Market and we really have no way of leaving. The only country to leave was Greenland, and it got out only by getting a Bill passed in every member state, and that could never happen to us. We must get away from the situation in which a non-elected body can tell individual member states, for no good reason, to abandon legislation. This is bureaucratic law rather than parliamentary law.

What is achieved by denying information to consumers? Does it restrict trade to tell people that goods are made in, say, Japan or Taiwan? People should be told the truth. That is what the previous measure did and, in doing that, it served a useful purpose. If a referendum were held in Britain asking people if they wanted to know where goods were made before they purchased them, the vast majority would say yes.

Tonight we are making a major change in our constitution. An encouraging aspect is that, while, sadly —with some honourable exceptions—Labour Members are not discussing these Euro issues, my hon. Friends are becoming greatly concerned about the way in which bureaucratic decisions are interfering unnecessarily with our affairs. We are getting fed up with the way in which the Common Market is more and more reflecting all those things against which our splendid Prime Minister is fighting.

While I am delighted to see the Under-Secretary my hon. Friend the Member for Mid-Worcestershire (Mr. Forth) at the Dispatch Box, I hope that in future he will fight hard to get the EEC to reflect the true meaning of Thatcherism and Conservatism and get away from this nonsense of bureaucracy taking powers away from consumers for no good reason.

10.43 pm

Mr. Christopher Gill (Ludlow): I join my hon. Friend the Member for Southend, East (Mr. Taylor) in congratulating my hon. Friend the Member for Mid-Worcestershire (Mr. Forth) on his appearance at the Dispatch Box, I wish him every success in his new office.

We have been intent on increasing consumer protection, particularly in foodstuffs, and more and more the trend is for manufacturers to declare all ingredients. Until now, all foodstuffs consumed in Britain have been subject to inspection by the nation's health inspectorate. With the implementation of the single European market that will cease; imported food will no longer be guaranteed by our own inspectorate as being of the standard, quality and purity that we have come to expect. Such inspections will be made by the inspectorates in the various producing countries.

That presents us with a dilemma, for the public will undoubtedly wish to discriminate in the food products that they consume. They are bound to have reservations about the source of certain products, and particularly about whether the standard of inspection in the countries of origin are commensurate with the standards which have traditionally been enforced in this country, and which we shall continue to enforce for home-produced products. The order is inconsistent and poses a dilemma for the Government because it effectively denies the consumer knowledge of the original source of the food.

10.45 pm

Mr. Jonathan Aitken (Thanet, South): The hour is late——

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Speaker. The hon. Gentleman has only just come into the Chamber.

Mr. Speaker: Order. The hon. Gentleman was not here for the opening speeches—*[Interruption.]* Order. No point of order arises. I decide.

Mr. Aitken: The hour is late and I shall not detain the House for more than a few moments. I simply wish to record my sadness at debating this order tonight. I sound that note of sadness on several different counts. First, I sound it in the direction of my hon. Friend the Minister. I well recall him in his former seat below the Gangway, unsheathing his sword so that, with measured tones, he could plunge its point into Minister after Minister who introduced measures that trod, by even a small margin, on British sovereignty.

I could hardly believe my ears tonight as I listened to my hon. Friend's high-speed, staccato delivery as he rattled through some amazing phrases. He said that Renault and Volkswagen were really United Kingdom names; that we were doing the most that was workable within the constraints of our European obligations; that progress would be neither easy nor speedy; that the totality of presentation did not need British marks upon it. It recalled to mind the opening words of Browning's famous poem, "The Lost Leader":

"Just for a handful of silver he left us,
Just for a riband to stick in his coat."

I do not mean to do more than treat my hon. Friend to the sort of treatment that he gave out in his day. He dished it out pretty well, and it is right that he should take it tonight.

I am sad not simply because of such a change of tone by my hon. Friend. He will have plenty to time of repent at leisure in due course. The sadness is that the order affects this sovereign Parliament, of which we are all so proud to be Members. The 1972 Act was a good Act. It was introduced by someone who I have not always praised for his goodness towards the British consumer—my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath), who is not present tonight. It was his Government who, in 1972, introduced a robust measure that was supported by both sides of the House. It was intended simply to defend the interests of the British consumer. My hon. Friend the Member for Ludlow (Mr. Gill) made the important point about the significance or origin markings on foodstuffs. That could apply across the whole range of consumer goods because it would be in the interests of the British consumer. It is sad that an Act of Parliament should be swept away at an hour of night when most sensible people are drinking their Horlicks or Ovaltine and saying, "Me for bed, so goodnight, darling." The 1972 Act has been ambushed and swept away.

Above all, what is happening tonight is sad for parliamentary sovereignty. The great British public has difficulty in understanding what is meant when we say that sovereignty is being eroded. They should witness this scene tonight, when an Act of Parliament that passed through all its stages only a few years ago is obliterated from the statute book, on the nod, and without any real pressure from Europe, simply because the Government are suddenly in a genuflectory mood, willing to bow the knee and get rid of the Act before anybody can cause any trouble.

What a sadness that must be for my right hon. Friend the Prime Minister. In Bruges, she said:

"Europe will be stronger precisely because it has France as France, Spain as Spain, Britain as Britain, each with its own customs, traditions and identity."

She might have added, "But no longer with its own origin markings."

Something of importance is going on the nod, quietly, and, frankly, in a rather humiliating way. A piece of British sovereignty is being thrown out the window. I am sad about it, and I wish to record my protest tonight.

10.50 pm

Mr. Roger King (Birmingham, Northfield): I shall not detain the House for long, but one or two practical points in the legislation worry me. I expect that you will be aware, Mr. Speaker, that one growth industry is wine production, and we are rapidly becoming international experts in its development. The trouble is that we are running into a little competition from France and German wine producers. They put "Produce of France", "Bottled in France" or "Bottled in Germany" on their wine bottles. That discriminates against English wine producers who want their wine to have a fair share of the market and do not want to be discriminated against in preference to French or German producers.

I ask my hon. Friend the Minister, whom I congratulate on his presence on the Government Front Bench, whether an English wine producer would be able to go to the EEC and demand that French wine producers remove the words "Produce of France" from their bottles.

Mr. David Nicholson (Taunton): Is it not even more important that wine consumers should have some idea of

[Mr. David Nicholson]

where the stuff comes from? Wine from various EEC countries which most of us perhaps regard as undrinkable or wine that might possibly be regarded as French but which comes from north Africa might be discriminated against.

Mr. King: One could take that point of view, but labelling is surely a thing of the past. I am trying to establish to what extent the legislation will permeate through to everyday produce items.

I am intrigued also about what will happen when a cargo of Welsh lamb arrives in France. At the moment, lamb is clearly produce of Wales, but it will presumably become European lamb—Euro lamb. Is that another reason why the legislation is advantageous—that the French will no longer be able to stop the arrival of Welsh lamb, because there will be no such thing; it will be Euro lamb?

A more substantial matter relates to the car industry, in particular Nissan in Sunderland. One of the highlights of overseas investment in this country is Japanese involvement in much of our industry these days, be it video cassette recorders, television sets, electronics products or, in this case, cars. The difficulty arises in getting other countries to accept that such products are originally created in this country.

Presumably, under this legislation, that obstacle to our exporting cars throughout the EEC will be removed, because they will be considered Euro products. Therefore, France will not be able to stop the arrival of loads of Nissan Bluebirds, because it will no longer be valid for it to point the finger and ask where such cars originated. The cars have come from this country. There is no longer any need for them to be marked "Made in England with parts from Japan." They can simply be marked "Euro made."

Although there are some practical problems for the consumer, there are great opportunities for our wine makers, Welsh lamb, car and electronics producers to open new markets in Europe. Hitherto some markets have been closed to our products because the relevant countries were not satisfied that the goods were of United Kingdom origin.

Mr. Austin Mitchell: I am grateful to the hon. Gentleman for giving way, but hesitate to point out that he has got it all wrong. The order has no effect in the Common Market; its only effect is in this country, where it deprives the consumer of the weapons to discriminate against imports. People are increasingly resentful of the high proportion of our domestic market that is taken by imports and by the number of British firms that are being taken over by foreign firms. The order deprives people of the ability to do anything about that, and it has no effect on getting our goods accepted in Europe.

Mr. King: I am grateful for that intervention. What I am seeking to establish is the element of two-way traffic. If we are not entitled to put our country of origin on our products, it follows that, if it is to be a fair and stable market, neither can the country of origin be mentioned on products coming in from Europe. Perhaps my hon. Friend the Minister will enlighten us on those points.

10.55 pm

Mr. Bob Cryer (Bradford, South): I am sorry that I was not here at the beginning of the debate. I am also sorry that the Government lost their hundred and did not move the business motion, which is what I had expected them to do. As the annunciator in my room is not working, I was unable to be here at the beginning of the debate because there was nothing to indicate that it was starting. If the annunciators are not providing the information, they should be ripped out throughout the House.

I accept that I should have been here—there were good reasons why I was not—because the order is important to the wool textile industry, which is based in Bradford. The industry has sent me a brief and a note from the chairman and managing director of Centaur Clothes of Leeds, Mr. J. D. Jackson, who is probably a supporter of the Conservative party. WOOLTAC—Wool Textile and Clothing Industry Action Committee—is supported by both Labour and Conservative local authorities, and both have expressed their concern, which is based on reality.

That organisation, which, as I have said, is supported by both major political parties, points out its concern at the repeal of the Trade Descriptions Act 1972, by stating:

"This Act is being repealed because the European Commission have initiated infraction proceedings against it, and the Government believe it could not be successfully defended in the European Court."

I am sorry that I missed the Minister's opening words, but I wonder why the Government did not try to act in the European Court and why they have given up before they have even got there. That suggests a different spirit from the view expressed by the Prime Minister in her Bruges speech. If the Prime Minister was expressing the view that the Common Market is becoming too federal and that we should stand up to it, surely the Government should be using all the machinery that is available to them.

The replacement legislation in the form of an order under the Trade Descriptions Act, the Trade Descriptions (Place of Production) (Marking) Order, is not as effective as the original legislation. Indeed, it is so soggy that the letter sent to me states:

"Former Industry and Consumer Affairs Minister John Butcher gave a commitment to WOOLTAC earlier this year that more detailed guidance would be provided as to what constitutes a misleading presentation of goods under the new Order."

Perhaps the Minister outlined the detailed guidance, but he will no doubt refer to it when he replies to the debate. I shall examine *Hansard* in great detail when it is published tomorrow. It is important to note that the guidance does not have any legal effect. The legal application is in the order, not in the Minister's guidance. The Minister's guidance can be ignored.

The truth is that the Department of Trade and Industry is scared stiff that the European Commission will threaten to take it to court again. So it has produced a soggy, vague, unsatisfactory order and tries to appease manufacturers, many of whom support the Conservative party, by saying that the Minister's guidelines will provide a satisfactory background. The Minister knows that that is so much window dressing. His guidelines have no legal effect and can be ignored.

Mr. Cash: I am a member of the Joint Committee on Statutory Instruments, which the hon. Gentleman chairs.

Does he recall whether we have referred to the provisions of the order in any of our reports, and especially to the fact that this is a "Henry VIII" type of clause?

Mr. Cryer: Many statutory instruments are published with a great deal of guidance. The Committee has said that statutory instruments should stand on their own and should not depend on guidance. The law is set out in the statutory instrument, and guidance—whether it is from the Department of Health or the Department of Social Security, which issue shoals of guidance documents, handbooks and leaflets, or from the Department of Trade and Industry—should not be relied upon.

The Prime Minister says that the Common Market is becoming stronger. She disagrees with the view of the President of the Commission that in 10 years' time 80 per cent. of legislation will emanate from the Common Market, not from state Parliaments. Yet she is allowing the erosion of legislation by the Government.

The wool textile industry has invested heavily. It is not antique. The textile and clothing industry is one of the largest employers in the country, employing more than 500,000 people, and is of vital importance to the economy. The industry, certainly in Yorkshire, is worried about the erosion of jobs by imports and about the fact that consumers will not now be able to make a fair judgment. If they wish to buy cloth made in Japan, West Germany or the Prato region of Italy, which is still producing subsidised woollen products because it can get round the social security provisions, thus producing a 10 per cent. price advantage—it has been investigated by the Commission, but with no positive result in terms of equality of competition—people should have that information of origin. But they are denied it because the Government have yielded to the Commission, which does not want a group of countries to work together. It wants a complete Euro blur, and that is what this order is about.

Mr. Gary Waller (Keighley): The hon. Gentleman suggests that the wool textile industry is worried about the order, but the brief that he received says:

"Overall WOOLTAC feel the Government have pressed the European Commission hard to achieve protection as near as possible to that available under the 1972 Act."

Furthermore, having attended many meetings of WOOLTAC, which is supported by trade unions, the Labour party, Conservative authorities and employers, I must tell the hon. Gentleman that although there is anxiety about imports—especially unfair imports—there is a strong feeling that the new regime being introduced to replace the 1972 Act will be sufficient protection for jobs in the textile industry in west Yorkshire.

Mr. Cryer: The hon. Gentleman omitted to mention the four points of qualification in the briefing which follow that. First, WOOLTAC wants the approval of the Consumer Protection Act 1987 (Commencement No. 2) Order 1988 to move in parallel with approval, through the affirmative resolution procedure of the Trades Descriptions (Place of Production) (Marking) Order, to ensure no gap in protection. Secondly, WOOLTAC emphasises the desirability of a European Communitywide scheme of origin marking for imports to the EC. The Minister has been "sounding out" member states on that and we would expect him to make a statement of the results. Thirdly, WOOLTAC emphasises the need for adequate resources for effective enforcement of the new order, and the fourth part relates to the point I mentioned earlier about the former Parliamentary Under-Secretary of State for Industry and Consumer Affairs. WOOLTAC has enumerated those four important qualifications. In his "sounding out", has the Minister received an assurance from Italy that subsidised exports to this country from the Prato region will stop? He may receive assurances, but they are not put into effect.

As the hon. Member for Keighley (Mr. Waller) knows, the industry has been pressing the Department to do something about imports of Turkish acrylic fibre yarn, which have shot up to more than 4,000 tonnes from virtually nothing. The Government cannot take any action themselves, but must go to the Commission. The Commission wants to see greater damage to the industry before it will begin to take action, and that means either more unemployment or short-time working. The power to apply criteria for fair competition has gone from the Government, whatever the Prime Minister may say in her speeches in Bruges and elsewhere. It has shifted to the Commission, whose priority is not the United Kingdom textile industry or other United Kingdom industries which manufacture goods for sale, but the complete harmonisation of every standard it can lay its hands on inside the Common Market. It has been unsuccessful, as I showed with textiles in the Prato region of Italy, and there are many other examples which, unfortunately, I have not time to go into now.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does the hon. Gentleman agree that on 25 February 1972 the hon. Member for Cirencester and Tewkesbury (Mr. Ridley)—now the right hon. Member, which shows that selling people short pays off—agreed that this would never happen? Now it has happened. How many more times will we be promised that these things will not be changed, which in time will be changed?

Mr. Cryer: I shall conclude my remarks because I want to give the Minister a chance to make a few closing comments.

We are in great difficulty. The hon. Member for Keighley may say that WOOLTAC has been prepared to compromise and to say that it hopes that the new regime will be as good as the old one, but the reality is that it is unlikely to be so. The old Department of Trade had a strong element of Euro-fanaticism and made compromise after compromise to the Common Market. That was when I was a Minister in that Department, and no doubt it has done so ever since, so I am worried.

The wool textile industry has invested and is a modern industry. The workers have accepted all sorts of changes in working practices. They work 24-hour shifts and have accepted new machinery which covers a much wider range of output. Productivity has increased. Yet there has been a continuing erosion of jobs ever since 1970. Under the last Labour Government there was an increase in employment in the wool textile industry in 1978, but since that high point it has declined.

A passage in the action committee's letter reads:

"I write requesting your help concerning the provision of adequate origin-marking legislation, which as you may know has been of concern to the Wool Textile and Clothing Industry Action Committee for some time now."

I fear that the cause for that concern will rear its head again. We are seeing another example of the Government's power to act being eroded by the Commission, and it will

[Mr. Cryer]

be followed by further examples that will further erode the rights of the elected Government of the day. I happen to disagree with the elected Government of the day, but they were elected and they have certain responsibilities to undertake. Their powers to act, however, are being eroded by the Common Market.

The erosion will continue until we repeal section 2 of the European Communities Act 1972. If that is not done, we shall continue to be confronted with orders of this sort. The Government's room for action is being limited by non-elected appointed commissioners, who put the interests of some vague, shadowy and amorphous notion of a United States of Western Europe before the interests of the workers of the individual states and their employers.

11.11 pm

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Orders of this sort come before the House week after week, month after month. They will come before the House year after year. We have been promised by one Minister after another—it does not matter which party is in office, and that is one of the tragedies—that no contravention will be made without the authority of the House. However, we continue to approve orders and, as Mr. Delors said, 82 per cent.—[HON. MEMBERS: "80 per cent."] Does it matter whether it is 80 per cent. or 90 per cent? Mr. Delors has said that in due course 80 per cent. of our laws will be enacted as a result of what happens in Brussels.

Mr. Dennis Skinner (Bolsover): The hon. Gentleman was the Eurofanatic who sat outside the House. If Jacques Delors came into the House now, he would wipe his shoes for him. He would grovel at his feet, as he has always done.

Mr. Beaumont-Dark: Like the TUC did.

Mr. Skinner: Absolutely right. If I had been at the TUC, Jacques Delors would not have received a standing ovation from me. Over the past decade, and for longer than that, too many have grovelled to the Common Market and the commissioners, such as Jacques Delors. There are still a few members of the Labour party—Socialists—who will never surrender to people like Jacques Delors. We should remember that the country that is making all the money in the Common Market is West Germany. It has a balance of payments surplus this year of $40 billion equivalent. Britain has a deficit of $13 billion equivalent. By God, there are some who say that Germany lost the war. The Prime Minister and all the rest of them have helped West Germany on its way.

Mr. Beaumont-Dark: It would have been better if the hon. Gentleman had made his brave speech at the Labour party conference instead of making it here.

Mr. Skinner: That is exactly what I did.

Mr. Beaumont-Dark: It did not sound as brave then as it does at this hour of the night.

The point is—*[Interruption.]* Has the hon. Gentleman finished?

Mr. Skinner: I am not like the hon. Gentleman, who is a Eurofanatic.

Mr. Beaumont-Dark: The most important consideration is where we shall finish. As hon. Members have said, my hon. Friend the Parliamentary Under-Secretary of State for Trade and Industry used to sit proudly on these Benches and fight for this country, but what we have heard——

Mr. David Harris (St. Ives): My hon. Friend was not here; he did not hear it.

Mr. Beaumont-Dark: With respect, I have heard it so often——

Mr. Harris: My hon. Friend did not hear it.

Mr. Beaumont-Dark: I have heard these brave speeches so often. People who sit on these Benches and then transfer to the Government Front Bench tell us why it is not possible. But in the end all the people of this country must decide where they stand. Do they stand for this country or for Europe? Surely we were elected to this Parliament to represent our people. Under regulation after regulation, this House is given solemn assurances that there will be no contravention of our rights, yet contraventions march on and on. Where will it end? It will end with this Parliament being a subsidiary of the Parliament in Brussels.

Mr. Austin Mitchell: From this Dispatch Box I have given the hon. Gentleman the opportunity to put his vote where his mouth is and to demonstrate to the Government what he thinks about this legislation. It is largely up to him.

Mr. Beaumont-Dark: The Labour party always says that it is up to other people, not itself. I have not voted for similar European legislation year after year, and I will not vote for this legislation tonight.

Mr. Austin Mitchell: Or against it.

Mr. Beaumont-Dark: I am prepared to vote against it if the Opposition will put the Whips on. I believe that many of us would be prepared to do so. It is time to say that we are not prepared to accept one assurance after another that this country should be run from anywhere but Westminster. If the Opposition will put the Whips on, I shall vote against the order.

11.16 pm

Mr. Quentin Davies (Stamford and Spalding): I shall not detain the House for very long tonight. My remarks will be in the form of a question to the Minister, which I ask him to answer in his concluding remarks.

On balance, I regret the disappearance of origin marking as enshrined in the Consumer Protection Act 1972. Nevertheless, I recognise that, if we are moving towards a single European market and if that single market is to mean anything at all, we must have one domestic market. Therefore, it does not make too much sense to distinguish between different origins within the Community, and it would not make much technical sense either. Given the immense amount of integrated manufacturing, subcontracting and consortium manufacturing that takes place within the European Community, origin marking by individual countries within the Community probably would not make too much semantic sense. Nevertheless, those considerations do not apply to goods imported into the Community from outside.

The Minister referred to the representations—which I know that he has received—from a number of industrial groups which are in favour of introducing some form of Community origin marking. There are various ways in which that can be organised, and I shall not detain the House by describing them in detail. My hon. Friend did say, however, that he was a little pessimistic about the chances of persuading his Community colleagues to accept a solution along those lines, and that he envisaged a number of difficulties. The Minister did not say what those difficulties were, but a number of people who will be listening to the debate, both inside and outside the House, will be interested to have his assessment of them. I should be grateful if he would enumerate them, at least briefly, and give us some confidence that he will not abandon the attempt to persuade his Community colleagues to move in that direction.

11.19 pm

Mr. Forth: This has been a revealing debate, not just because of the tributes that have been paid to me, for which I am grateful and which I accept with traditional humility from the Dispatch Box, but because of the attitudes and motives displayed by those who have questioned some of the elements of the order.

The expressions and words used by the hon. Member for Great Grimsby (Mr. Mitchell) and by my hon. Friend the Member for Southend, East (Mr. Taylor) were especially interesting. The hon. Member for Great Grimsby based much of his argument on people's right to discriminate. I always thought that Opposition Members were rather wary of discrimination and were against it. When it comes to this matter, however, they are in favour of it.

My hon. Friend the Member for Southend, East based much of his argument on the right of people to exercise their prejudices. I am sure that my hon. Friend is one of least prejudiced of men, yet he based his argument on some sort of god-given right of consumers or housewives to exercise a degree of prejudice, or, as the hon. Member for Great Grimsby has said, discrimination, when distinguishing between goods originating from different countries of the Community.

Many references have been made to the Prime Minister and her stated views adumbrated at Bruges. I remind the House that one of the things that my right hon. Friend emphasised over and over again was her belief in the importance of a genuinely free market in the Community. She also emphasised the importance of a market that would be as open as possible to non-Community imports. Therefore, we do not believe in a "fortress Europe" approach. The order is at one with that desire as it attempts to improve the possibilities for the freest movement of goods within the Community without prejudice or discrimination. I hope that my hon. Friend the Member for Southend, East and the hon. Member for Great Grimsby will concede that that is an important element of the Community's aims. It is also what my right hon. Friend the Prime Minister wants to see happen in the Community.

I made it clear that, at present, there is no universal origin marking requirement even under the terms of the Trade Descriptions Act 1972, which has been much praised by hon. Members. That Act requires imported goods to be origin marked only if they bear a United Kingdom name or mark. Many of the implications that have been made tonight are not true, even within the terms of the 1972 Act.

Much play has been made of the belief that what is going on here is unparliamentary and undemocratic and that this is some sort of sordid measure being rushed through late at night. My hon. Friend the Member for Thanet, South (Mr. Aitken) made such claims. The origins of the order, however, were contained within the provisions of the Consumer Protection Act 1987, which went through this House in the proper, full parliamentary manner. It was debated and democratically dealt with. The order is simply the culmination of what was set in place by the Act. To suggest that something unparliamentary is happening is ridiculous. The order has been given a generous amount of parliamentary time and many hon. Members have been able to make valuable contributions. The order has received the full examination of the House and, if it is approved tonight, it will have received proper parliamentary scrutiny.

Mr. Austin Mitchell: In 1987 the Consumer Protection Bill was rushed through a few days before the House was dissolved. It got a bipartisan reception because the Government then undertook that they would introduce effective control over origin marking. They have not done so and, therefore, the pretence on which that reception was based has been removed.

Mr. Forth: I am delighted by the hon. Gentleman's endorsement of the 1987 Act, which he said had bipartisan support, because it contains the provisions for the repeal of the Trade Descriptions Act 1972.

Mr. Cash: The provisions in the Consumer Credit Act 1974 which gave rise to the power to repeal this under the order were themselves contained in a European Community directive. That is the origin of the appeal.

Mr. Forth: As always, I defer to the knowledge of my hon. Friend in these matters. His knowledge of them is almost unparalleled in the House, and I am grateful for his guidance.

My hon. Friend the Member for Birmingham, Northfield (Mr. King) asked whether wines and lamb could be labelled with their countries of origin. The answer is yes. Producers are free to identify the country of origin of their products if they think that is to their benefit. Nothing in the order will prevent British manufacturers or producers from proudly proclaiming that their products are British——

Mr. Austin Mitchell: Vauxhall?

Mr. Forth: I am not sure why the hon. Gentleman shouts that at me. He is probably saying that we must not confuse this order with the much discussed matter of contents and origin, particularly of vehicles. The definition of origin for that purpose is contained in section 36 of the Trade Descriptions Act 1968—I am sure the hon. Member for Great Grimsby is well aware of this—which defines the country of origin as where the goods

"last underwent a treatment or process resulting in a substantial change."

I know that my hon. Friend the Member for Northfield is well acquainted with that definition. He and many others still struggle with it; it continues to pose difficulties. But it

[Mr. Forth]

has nothing to do with this order. I mention it only to clarify that and to remind hon. Members that the order is different.

The hon. Member for Bradford, South (Mr. Cryer) made some uncharacteristically inaccurate remarks. He knows as well as I do that as soon as this country joined the European Community in 1973 we acknowledged the role of the Commission in Brussels in policing the measures passed by the other bodies in the Community. We also acknowledged the European Court of Justice as the ultimate arbiter of the relevance and validity of Community measures. Tonight, we acknowledge that again. As a member of the Community we acknowledge the role of the Commission. The hon. Member for Bradford, South has the great distinction of holding a dual mandate as a Member of this place and as a Member of the European Parliament in Strasbourg. Surely he would not deny the legitimate role of the European Court of Justice or the Commission. He is an elected member of the third great body of the Community and it would be remiss of him to deny the roles of the other two.

My hon. Friend the Member for Stamford and Spalding (Mr. Davies) made the relevant point that, given the degree of integrated manufacturing—Vauxhall may be a case in point—in the European Community these days, origin marking intra Community countries is probably irrelevant. It becomes even less relevant with increased integration. We are now going to try to persuade our colleagues in the Community to set about deciding on a workable origin marking regime that will apply to countries outside the Community.

This order essentially applies to the movement of goods inside the Community; the Government and the Prime Minister are committed to that. We shall strive—I have already initiated the process—to bring the Community together to devise the means of dealing with goods from outside the Community——

Mr. Teddy Taylor: We know what the order is about. Is my hon. Friend saying that he wants a regime that will enable consumers to know whether goods have been made in Japan but not whether they have been made in Germany?

Mr. Forth: What I am saying implies that. If the order is approved, I have undertaken to work with our Community partners to devise a regime that will go some way to meeting my hon. Friend's request. I have already initiated that process.

I have tried to satisfy hon. Members with answers. I commend the order to the House.

Question put:—

The House divided: Ayes 69, Noes 13.

Division No. 489] **[11.29 pm**

AYES

Amos, Alan
Arbuthnot, James
Atkinson, David
Beith, A. J.
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Boscawen, Hon Robert
Boswell, Tim
Brooke, Rt Hon Peter
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burt, Alistair
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Durant, Tony
Dykes, Hugh
Fallon, Michael
Forman, Nigel
Forth, Eric
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodson-Wickes, Dr Charles
Gregory, Conal
Hanley, Jeremy
Harris, David
Heathcoat-Amory, David
Howarth, Alan *(Strat'd-on-A)*
Hunt, David *(Wirral W)*
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Lawrence, Ivan
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
McLoughlin, Patrick
Mans, Keith
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mills, Iain
Moss, Malcolm
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Stern, Michael
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thurnham, Peter
Waddington, Rt Hon David
Waller, Gary
Watts, John
Widdecombe, Ann
Winterton, Nicholas
Wood, Timothy

Tellers for the Ayes:
Mr. Stephen Dorrell and
Mr David Maclean.

NOES

Aitken, Jonathan
Barnes, Harry *(Derbyshire NE)*
Beaumont-Dark, Anthony
Bevan, David Gilroy
Fisher, Mark
Foster, Derek
Gordon, Mildred
Mitchell, Austin *(G't Grimsby)*
Nellist, Dave
Pike, Peter L.
Roberts, Allan *(Bootle)*
Stott, Roger
Taylor, Teddy *(S'end E)*

Tellers for the Noes:
Mr. Dennis Skinner and
Mr. Bob Cryer.

Question accordingly agreed to.

Resolved,

That the draft Consumer Protection Act 1987 (Commencement No. 2) Order 1988, which was laid before this House on 28th July, be approved.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments &c.)

AGRICULTURE

That the Farm Diversification Grant (Variation) Scheme 1988 (S.I., 1988, No. 1398), dated 2nd August 1988, a copy of which was laid before this House on 16th August, be approved.

WEIGHTS AND MEASURES

That the draft Weights and Measures (Miscellaneous Foods) Order 1988, which was laid before this House on 26th October, be approved.

WEIGHTS AND MEASURES

That the draft Weights and Measures (Intoxicating Liquor) Order 1988, which was laid before this House on 26th October, be approved.—*[Mr. Kenneth Carlisle.]*

Question agreed to.

Girobank

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kenneth Carlisle.]*

11.40 pm

Mr. Allan Roberts (Bootle): First, I thank the Chancellor of the Duchy of Lancaster for coming to reply to this Adjournment debate. However, a statement should have been made to the House about the privatisation of Girobank before now. It should not have taken an Adjournment debate to bring the Chancellor of the Duchy of Lancaster here. There should have been a debate in Government time on the Government's proposal—a major privatisation proposal—affecting the 6,000 people who work for Girobank and all those who work in sub-post offices throughout the country which are mostly dependent on Girobank for their business. It also affects pensioners, the unemployed and everyone who receives cheques from Girobank. It is a major privatisation that does not need legislation. Therefore, the Government should report to Parliament on a regular basis, explain what is happening and enable debates on their proposals to take place.

Girobank is very successful. Since 1968, when it was established by a Labour Government, Girobank has grown into a successful banking arm of the Post Office. It now has about 2·5 million customers, and in 1986-87 it made a profit before tax of £23·1 million. It is a successful financial institution in the public sector. As I have already said, it employs 6,000 people—5,500 in my constituency.

Most EEC countries have a public sector Girobank. It provides competition in those countries in the same way as it does in Britain, where it offers customers a real alternative to the major clearing banks, and it has enhanced competition. As well as creating jobs on Merseyside and keeping the local community alive, Girobank has created jobs in Edinburgh, Leeds, Ashford in Kent, Birmingham, Bristol, Belfast and London. Girobank pioneered free banking and brought banking to the doorsteps of many rural areas about which many Conservative Members are concerned.

Labour Members see no reason why Girobank should be privatised and why the Government should have made the proposal to sell off Girobank in the first place. It will not increase or enhance competition, and the way in which it is being done will not extend share ownership in any way whatsoever. If it is kept in public ownership and further developed, competition will continue.

However, in June the Secretary of State for Health, the right hon. and learned Member for Rushcliffe (Mr. Clarke), when he held the post of Chancellor of the Duchy of Lancaster announced that Girobank would be privatised—for doctrinaire reasons, presumably, as there were no other grounds—that it would not be a flotation, but that it would go out to tender, and certain conditions were set down. On 7 June, the Minister said that Girobank was a successful bank

"with a particular strength in money transmissions and handling deposits of corporate cash."

He said,

"Girobank . . . needs to expand vigorously".

Indeed, it is in the process of doing so in the public sector. The right hon. and learned Gentleman said that the Post Office had agreed with the Government to privatise Girobank and that Girobank would be offered for sale to a financial institution or other suitable company. He said that suitable bidders for the bank would be given the opportunity to tender, and that has happened. He said that in deciding on a buyer the price would be a major consideration in order to ensure a fair deal for the taxpayer. The figure of £200 million was in the Government's mind. He also said:

"weight should be given to . . . a purchaser who will widen choice"—

that is important—

"for the general public in banking services."

He also said that the purchaser should be

"capable of developing and expanding Girobank's business."

He said that the close links between Girobank and Post Office Counters would be safeguarded and that

"prospective purchasers will be invited to propose arrangements to enable management and employees to share . . . in the future success of the business."—[*Official Report*, 7 June 1988, Vol. 134, c. 713.]

The right hon. and learned Gentleman said that the purchaser would have to satisfy the strict requirements of the Bank of England, and the Government went on to rule out a management buy-out or a consortium bid.

The Government employed a company of merchant bankers, Schroder, to deal with the matter. The right hon. and learned Member for Rushcliffe, then the Minister responsible, wrote to me on 27 June saying that he hoped the sale would be completed before the end of the year. An expected timetable was submitted to all those who expressed an interest in purchasing Girobank which gave the end of September as the deadline for round two bids. The Minister, and a letter I received from the Prime Minister, made it clear that a shortlist would be produced and announced during the recess and that in November the Government hoped to announce the successful bidder.

Although the unions were opposed to privatisation, they met and decided not to take industrial action but to seek some safeguards from the Government about the procedures involved in the sale. They behaved very responsibly. They produced an eight-point plan. They wanted continued investment commitment to the bank; a commitment to the growth of the bank, especially among corporate customers; protection of the bank as an entity and the protection of Bootle as the major operational centre.

If privatisation threatens the centre in Bootle, the entire area will be devastated. It is an area of high unemployment where Girobank, the flagship of public enterprise at work, is one of the major employers. The unions also wanted the siting of the contingency centre in close proximity to the Bootle centre. The proposal is that it should go ahead in Wigan. We hope that that will be safeguarded. The unions wanted protection of the commercial relationship between Post Office Counters and the bank; protection of conditions of service such as pension rights and continued trade union recognition. They wanted staff involvement in the development of the bank. Those are all reasonable requests made by the work force and those involved in making Girobank such a success.

Since the statement in the House and since Girobank was put out to public tender we have heard nothing from the Government except rumour, speculation and leaks from Schroder and the Department of Trade and Industry. Despite the fact that I have asked questions in the House and that my hon. Friends have tabled questions for written answer, the Government have not told us what has happened. We have passed the deadline that the

[Mr. Allan Roberts]

Government originally laid down for the publication of the shortlist. We were told that it would be published in November and that the unions and the work force would have an opportunity to have discussions with those wishing to purchase. We have heard rumours that Westpac, the Australian company, and the Bank of Scotland have withdrawn their bids and that the bids were well below £200 million. The shortlist that the Government hoped to publish was depleted to such an extent that they could not publish it. There were insufficient bidders for Girobank and the Government faced the dilemma of whether to go ahead with the privatisation.

That is authoritative speculation that has appeared in the press over the past two weeks and no Minister has denied it. The Department of Trade and Industry suggested that there never was a deadline so one could not be expected. The Government hoped that a deadline would be met and a timetable was sent out by Schroder. The Government's proposals for Girobank have not stayed on course. I hope that the Government will be able to answer my questions because I am concerned about the future of Girobank and its employees. The current uncertainty must be brought to an end.

The Labour party and the majority of the work force at Girobank are completely opposed to privatisation. The employees are aware that if privatisation goes ahead their future will be at risk, and they are aware of the risks of asset-stripping. Girobank is competitive and successful in the public sector, but my main concern is for Girobank, whether or not it stays in public ownership.

Why have not Parliament or Girobank's employees been told of the shortlist of bidders? Why have the Government relaxed the conditions governing the sale of Girobank? I hope that the Minister will say that the Government have not relaxed the conditions and that they want to ensure a secure future for the bank. Will the Government still insist on a sale price of about £200 million, or will they sell it at a knock-down price? In that regard, we have had the Royal Ordnance fiasco and the BP sale. In many instances, asset-stripping has resulted as a consequence of privatisation and the taxpayer has suffered.

It is feared that if someone buys Girobank at a knock-down price the business will be asset-stripped and sold at its true price. If a second sale took place shortly after the first, the conditions and guarantees that the Government have given may be lost. If it is sold at a knock-down price, those concerned about the interests of the taxpayer and those concerned about the future of Girobank will be angry because the centre of Bootle may disappear.

Is a management or part-management buy-out ruled out by the Government? Will a consortium bid be allowed? The Government implied, if not stated categorically, that that would be ruled out. Are the Government still excluding bids from British clearing banks or the larger building societies? If a bank with a clearing house facility or a large building society buys Girobank it would be more likely to run down the centre of Bootle. It would also be more likely to asset-strip Girobank, because it would have the same facilities and would be buying it to get its customers, its business and the Post Office outlets or to buy out the competition, about which we are very worried.

Have the Government abandoned their commitment to more customer choice in the market? They said that that was one of the purposes of privatisation. If a major clearing bank or building society purchases Girobank, that will not happen.

What has been the response so far by way of Girobank bids? Will the Minister come clean and answer that question? If a satisfactory buyer is not found or if an acceptable bid is not submitted, will the Government withdraw their proposals for privatisation? Any other reasonable vendor—a householder putting a house up for sale or somebody selling a business—would take the view that if the asking price cannot be realised, the house or business should be withdrawn from the market, rather than leave it there with all the insecurity and uncertainty that must result.

What is the Government's timetable for the sale of Girobank, if the sale is to go ahead? As I said, I am totally opposed to its privatisation and hope that the Government will not proceed with the sale. But if they are intent on going ahead, I hope that they will guarantee to all concerned that Girobank will be maintained as a viable business with a successful future.

11.57 pm

Mr. Roger Stott (Wigan) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Does the hon. Gentleman have the consent of the hon. Member for Bootle (Mr. Rogers) and the Minister to take part in the debate?

Mr. Stott: Yes, Mr. Deputy Speaker.

Mr. Deputy Speaker: Very well.

Mr. Stott: I congratulate my hon. Friend the Member for Bootle (Mr. Roberts) on raising this important issue. I must record, speaking from the Opposition Front Bench, that this is a most unsatisfactory procedure by which the House may have an opportunity at least to debate this issue—in a few minutes—on a Thursday at just before midnight. After all, we are discussing the employment prospects of 6,000 people in Bootle and elsewhere and an important banking institution. This is a most unsatisfactory way of dealing with this important subject.

My hon. Friend raised many issues that are worrying Labour Members and those employed in Girobank, and, I suspect, millions of customers, of whom I am one, of the bank. We want to know what is to happen to the bank with which we have banked since it came into existence. My hon. Friend posed reasonable questions. So far, we have not received satisfactory replies to the letters we have written, to the parliamentary questions we have tabled or to other forms of probing in which we have indulged.

My hon. Friend pointed out that the right hon. and learned Member for Rushcliffe (Mr. Clarke), the Minister's predecessor, made a statement in the House last June about the Government's intentions towards Girobank. I understood that on that occasion he laid down the parameters governing the way in which the bank would be sold. They were drawn in such a way as to

exclude the major clearing banks from bidding, to avoid any problem with the Monopolies and Mergers Commission, and I could appreciate that.

Since then, the only information that I and my hon. Friend—and he represents the town of Bootle and those who work in Girobank there—have received is from the newspapers. We read almost daily that the Government are in real trouble over the sale because nobody wants to buy it.

My hon. Friend referred to Westpac. It has pulled out, as has the Royal Bank of Scotland. If such organisations are not showing interest in purchasing Girobank, what prospective purchasers are there? Which organisations are bidding? Is the Minister beginning to move the goal posts, as it were, from where his right hon. and learned Friend put them in June of this year? According to *The Independent*, the Government are considering entertaining a bid from the Co-operative bank and Unity Trust or a management buy-out. If that is the case, the parameters that his right hon. and learned Friend laid down in June certainly have been shifted.

The Minister is an honourable man and he must come clean on this matter. The House, the people and especially the employees of Girobank have to know whether the ground is changing. We believe that it is, for the simple reason that when the Minister's right hon. and learned Friend came to the House in June we told him that it was a bad idea. We opposed the privatisation of Girobank on ideological grounds. We also said that it was the wrong time to do it. The bank was just about to break into the new era of financial services. I think that we will be proved right. The bidders for Girobank are virtually non-existent.

It is an insult to the House that it must deal with a matter of such importance at this time of night during an Adjournment debate. My hon. Friend the Member for Dagenham (Mr. Gould) and I met the unions from Girobank earlier this evening. The vast majority of those who work in Girobank are employees of the Post Office, and have been for 20, 25 or even 28 years. Their pension provisions are locked into the Post Office pension arrangements. As I understand it, once the bank is sold those pension arrangements will run for only a further 10 months. They will then, under this new liberated Government scheme, have to find other ways to fund their pension scheme. That is disgraceful. Five thousand people who were employed by the Post Office three or four months ago have now been told, following an arbitrary decision by the Government, that their pensions are in jeopardy. If the Minister thinks that they will accept that with equanimity, he is wrong.

My hon. Friend and I have posed a number of questions that the Minister must answer.

12.2 am

The Chancellor of the Duchy of Lancaster and Minister of Trade and Industry (Mr. Tony Newton): In the nine minutes remaining to me I shall do my best to respond to the many questions that have been posed. I hope that Opposition Members will understand if the pressure of time makes it difficult to respond as fully as I would have wished.

I congratulate the hon. Member for Bootle (Mr. Roberts) on obtaining this Adjournment debate, but resist the suggestion that as Cabinet Minister responsible for this matter, coming to the House to answer an Adjournment debate raised by the Member of Parliament with the most direct interest because his constituents are affected, constitutes an abuse of the House. It constitutes an entirely proper response—*[Interruption.]* I was picking up the comments of the hon. Member for Wigan (Mr. Stott), rather than anything that the hon. Member for Bootle said.

I thank the hon. Member for Bootle for his courtesy in letting me know in advance the specific questions that he would ask, to which I shall reply. I had intended to say a word about the history of the Girobank and about the Government's general attitude towards privatisation. The House is certainly familiar with the latter, and the history was touched on by the hon. Gentleman.

It was against the history of Girobank and the privatisation policy that the Government have successfully pursued in many areas of industry and commerce that we considered the position of Girobank. As the hon. Gentleman said—there is no dispute between us on this—it has been successful in advancing its business. However, the banking market is rapidly changing and is extremely competitive, and we concluded that if Girobank was to achieve its full potential, to sustain its success, and to grow further, it would need to match its competitors in the freedom and flexibility with which it could respond to changing circumstances and new opportunities. It has to be free from the inevitable constraints that go with being a public sector undertaking, for which Ministers are answerable in the ways familiar to the House. Thus, on 7 June the then Chancellor of the Duchy, my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), informed the House that the Government and the Post Office had agreed to offer Girobank for sale to a financial institution or other suitable company.

The announcement of the proposed sale generated a wide response, with many inquiries, and on 25 July a confidential information memorandum was sent to those who had registered interest. To protect the future interests of the bank and the taxpayer, the Government and the Post Office Board outlined certain factors of which account was to be taken in evaluating bids. They covered price, acceptability to the Bank of England, the prospect of widening choice for the general public in banking services, the importance of the link between Girobank and Post Office Counters Ltd., capability to develop and expand Girobank's business, and arrangements to enable management and employees to share directly in the future success of the business. Those who expressed an interest in buying the bank were informed that the Government and the Post Office Board would also be concerned—I ask the hon. Member for Wigan to take note of this—to ensure that proper regard was paid to the interests of the employees.

When bids were sought, it was indicated that they should be submitted by the end of October. The current position—this answers some questions—is that the Post Office has informed me that the sale of Girobank by tender has not produced, within the hoped-for time scale, a buyer able to meet the requirements set for the sale. However, it remains the case that the Government and the Post Office Board are committed to transferring Girobank to the private sector through the sale of the bank to a suitable purchaser. Therefore, the Post Office and the financial advisers for the sale are holding further confidential discussions with potential purchasers, taking into account the factors set out by my right hon. and learned Friend the

[Mr. Tony Newton]

Member for Rushcliffe in his statement on 7 June. This process is likely to take some time. I will, of course, continue to keep the House informed.

Before coming to the other questions raised by the hon. Member, it may be helpful if I say something about the factors that we think have contributed to the position I have described.

Although it provides all the services that a modern bank provides, Girobank has a number of distinctive features. It uses the 20,000 or so outlets of Post Office Counters Ltd. Counters are open six days a week, and over longer hours, compared with high street banks. On the other hand, the staff are not employed by Girobank, as the hon. Gentleman said, and provide services to others in addition to Girobank. Over the past three years—another factor to be borne in mind—Girobank has further developed a distinctive telephone and mail banking system.

Having given the matter careful consideration, we now think that for selling a specialised bank like Girobank the time scale indicated in July was too demanding and may not have allowed prospective bidders adequate time for assessing and understanding the special features of Girobank, the potential to which those features give rise, and how that potential might fit their future strategy. For that reason, we considered it right to allow more time.

Let me now refer—I hope fully—to the specific questions of the hon. Member for Bootle to which I have not yet responded. He asked why we had not published the names of shortlisted bidders. The simple fact is that several bidders asked that their bids should be regarded as entirely confidential unless they were selected as the purchaser. They are entitled to ask that, and, in my view, entitled to have their wishes respected. In those circumstances, the Post Office Board is not in a position to release any names.

The hon. Gentleman asked me about what he described as a "relaxation of the conditions" of the statement of 7 June. My right hon. and learned Friend said those factors would be taken into account in evaluating bids. As I have said, those same factors will continue to be taken into account in the further confidential discussions with potential purchasers.

I was also asked about the price. That is one of the factors which the Post Office has set which will be taken into account. The sale is by tender, and no fixed price is, or was, set in advance. There has never been any question of insisting on a particular price. The point is that we must be satisfied that it represents an acceptable deal for the taxpayer.

I have been asked whether a bid from a clearing bank or a large building society would be acceptable. As my right hon. and learned Friend said on 7 June, no one is ruled out from putting in a bid. We would judge a bid from a clearing bank or a large building society in the light of the same factors as a bid from anyone else.

I have also been asked the same question in respect of a management buy-out. As I have said, no proposal is ruled out, but we doubt whether a management buy-out would be likely to satisfy the factors set out by my right hon. and learned Friend. A bid from a consortium is certainly not ruled out just because it is made by a consortium. It would be judged on its merits.

The Government remain convinced that the bank would benefit from the freer and more competitive environment of the private sector. Both we and the Post Office Board remain committed to transferring Girobank to the private sector through the sale of the bank to a suitable purchaser. Although the objective has not been secured as quickly as we had earlier hoped, we are continuing to work with the Post Office Board to achieve it, because we believe that it is in the interests of the bank and those who work in it that we should.

Question put and agreed to.

Adjourned accordingly at nine minutes past Twelve o'clock.

House of Commons

Friday 11 November 1988

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITION

Marden (Cross-Channel Link)

9.34 am

Miss Ann Widdecombe (Maidstone): I beg leave to present a petition signed by 567 inhabitants of the village of Marden, which is in my constituency.

British Rail is proposing to build a high-speed rail link from the Channel tunnel across Kent, and three of the proposed routes cross in or near my constituency. The village of Marden is immediately affected by route 3. Route 3 crosses virgin countryside where there has hitherto been no railway, whereas the other routes do not.

And the prayer of the petition reads:

Wherefore your Petitioners pray that your Honourable House urge British Rail to respect the wishes of those living in the affected area of Kent that no new railway line shall be built across the Weald.

To lie upon the Table.

School Boards (Scotland) Bill and Housing Bill (Allocation of Time)

9.35 am

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Bills:

Lords Amendments

1.—(1) The proceedings on consideration of Lords Amendments to the School Boards (Scotland) Bill shall, if not previously brought to a conclusion, be brought to a conclusion four hours after the commencement of the proceedings on the Motion for this Order.

(2) The proceedings on further consideration of Lords Amendments to the Housing Bill shall, if not previously brought to a conclusion, be brought to a conclusion six hours after the commencement of the proceedings on the Motion for this Order.

(3) Paragraph (1) of Standing Order No. 14 (Exempted business), as applied by paragraph (2) of Standing Order No. 11 (Friday sittings), shall apply to the proceedings on each of the Bills.

(4) No dilatory Motion with respect to, or in the course of, the proceedings on either of the Bills shall be made except by a member of the Government, and the Question on any such Motion shall be put forthwith.

(5) If the proceedings on either of the Bills are interrupted under paragraph (4) of Standing Order No. 11 (Friday sittings) a period equal to the duration of the business taken under that paragraph shall be added to the period at the end of which the proceedings on each of the Bills are to be brought to a conclusion.

(6) If the House is adjourned or the sitting is suspended before the expiry of the period at the end of which the proceedings on either of the Bills are to be brought to a conclusion, no notice shall be required of a Motion made at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

2.—(1) For the purpose of bringing any proceedings on either of the Bills to a conclusion in accordance with paragraph 1 above—

(a) Mr. Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided and, if that Question is for the amendment of the Lords Amendment, shall then put forthwith the Question on any further Amendment to the said Lords Amendment moved by a Minister of the Crown and on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in the said Lords Amendment, or, as the case may be, in the said Lords Amendment, as amended;

(b) Mr. Speaker shall then designate such of the remaining Lords Amendments to the Bill in question as appear to him to involve questions of Privilege and shall—

(i) put forthwith the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment to that Bill and then put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in their Amendment, or as the case may be, in their Amendment, as amended;

(ii) put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth disagree with the Lords in a Lords Amendment to that Bill;

(iii) put forthwith with respect to the Amendments to that Bill designated by Mr. Speaker which have not been disposed of the Question, That this House doth agree with the Lords in the said Amendments; and

(iv) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Amendments to that Bill;

[Mr. John Wakeham]

(c) as soon as the House has agreed or disagreed with the Lords in any of their Amendments to the Bill in question Mr. Speaker shall put forthwith the Question that all other Amendments to that Bill moved by a Minister of the Crown relevant to that Lords Amendment be made.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

Stages subsequent to first Consideration of Lords Amendments

3. The proceedings on any further Message from the Lords on either of the Bills shall, if not previously brought to a conclusion, be brought to a conclusion one hour after the commencement of those proceedings.

4. For the purpose of bringing those proceedings to a conclusion—

(a) Mr. Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided, and shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair;

(b) Mr. Speaker shall then designate such of the remaining items in the Lords Message as appear to him to involve questions of Privilege and shall—

(i) put forthwith the Question on any Motion made by a Minister of the Crown on any item;

(ii) in the case of the remaining items designated by Mr. Speaker, put forthwith the Question, That this House doth agree with the Lords in their said Proposals; and

(iii) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Proposals.

Supplemental

5.—(1) In this paragraph 'the proceedings' means proceedings on any further Message from the Lords on either of the Bills, on the appointment and quorum of a Committee to draw up Reasons and the Report of such a Committee.

(2) Mr. Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the consideration forthwith of the Message or, as the case may be, for the appointment and quorum of the Committee.

(3) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(4) Paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings.

(5) No dilatory Motion with respect to, or in the course of, the proceedings shall be made except by a member of the Government, and the Question on any such Motion shall be put forthwith.

(6) If the proceedings are interrupted by a Motion for the Adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) a period equal to the duration of the proceedings on the Motion shall be added to the period at the end of which the proceedings are to be brought to a conclusion.

Interpretation

6. In this Order 'the Bills' means the School Boards (Scotland) Bill and the Housing Bill.

During the debate on the motion to allocate time for the Local Government Finance Bill on 22 February the right hon. Member for Blaenau Gwent (Mr. Foot), who is always the doyen of these occasions, urged me to take no more timetable motions before 20 July—the anniversary of his memorable day of timetable debates. He believed that guillotines could best be defended if they came near the end of a Session, to prevent Bills from being lost. I hope that the fact that this motion is moved almost four months after that date and just two days before the end of the Session will secure the right hon. Gentleman's approval.

The purpose of the motion is fundamental to the operation of this place. One of the principles underlying our work is that finally, however hotly contested any piece of legislation may be, the elected Government are entitled to get their business. But the use of a timetable motion to ensure that needs to be balanced against another basic requirement: that the Opposition have certain rights, among them sufficient opportunity to develop their case against the Government's proposals. In the case of each of these two Bills there can be no doubt that the Opposition have had their opportunity, and that the House has rejected their arguments.

The School Boards (Scotland) Bill received a Second Reading by a substantial majority on 12 April after a full day's debate. It was then considered in Committee for 14 sittings, and was discussed on the Floor of the House for a further full day on Report and Third Reading. The amount of time provided for it was agreed by all parties in the House.

The time available for consideration of the Housing Bill was, as the House will recall, more controversial. On the third day of Report stage, on 14 June, the Opposition undertook that if the House debated the Bill throughout that night the Bill would be completed on the 15th. That undertaking was not fulfilled. With negotiation and good will we were nevertheless able to agree that a further day should be available for remaining stages, making four parliamentary but five calendar days in all. Despite what the hon. Member for Bristol, South (Miss Primarolo) said on Wednesday, we did not seek to timetable the Bill but proceeded by agreement—ultimately—as to the amount of time needed. Indeed, the hon. Member for Holborn and St. Pancras (Mr. Dobson), thanked me for the time we had provided. Before the Bill left this place it had already received more than 175 hours of debate; it received a further 64 hours' consideration in another place.

Furthermore, neither Bill has had a disrupted passage through the other place. Of the 21 amendments made there to the School Boards (Scotland) Bill, four are technical, two are minor drafting amendments, 14 are concessions to points made by Opposition Peers and the remaining one is uncontroversial. While there are significantly more amendments to the Housing Bill—some 270—the vast majority are technical and drafting matters, with perhaps only about 30 dealing with matters of substance.

Mr. Nigel Spearing (Newham, South): I am grateful to the Minister for giving way at this point because it will help to clear up a matter of fact to which I may wish to allude if I catch Mr. Speaker's eye. Is it not a fact that, if the Leader of the House had so wished, we could have debated on Wednesday those 270 or 30 substantive changes for another nine hours, that he could have reported progress at about lunchtime, that no disruption to any other business would have occurred and that this morning we could have been discussing the problem of homelessness? Is that not a parliamentary and factual account of what could have happened?

Mr. Wakeham: The hon. Gentleman is wrong. If we had continued at the rate of progress that we had made up to the point when we adjourned, we should have lost both Thursday's and Friday's business and still would not have got the Bill. I shall make that clear in a minute.

Mr. Dennis Skinner (Bolsover): The Leader of the House argues that the Government have only so much

time within which to pass their legislation and that therefore they have to introduce a guillotine, even though they have a majority over the Labour party of about 150. If the Government are short of parliamentary time, why did they allow the introduction of private Bills such as the North Killingholme Cargo Terminal Bill and the Associated British Ports (No. 2) Bill to which they allocated countless hours, with the Prime Minister trotting through the Lobby, and why did they organise two-line Whips? They could have used some of that time to discuss this Bill, but rather than do so they gave way to South African coal imports.

Mr. Wakeham: The hon. Gentleman knows perfectly well that the question of which private Bills are brought before the House is a matter not for me but for the Chairman of Ways and Means. The hon. Gentleman is entirely wrong. I am complaining not about the shortage of parliamentary time but about the way in which the adequate amount of parliamentary time has been used by the hon. Gentleman and his colleagues.

Mr. Simon Hughes (Southwark and Bermondsey): I am grateful to the Leader of the House for referring to what is left to debate—30 groups containing matters of substance across the whole range of questions that are dealt with in the Housing Bill. Does he concede that in no circumstances is it ideal that those matters, some of which were introduced for the first time in the other place, should be debated at the end of the parliamentary year, particularly since the Secretary of State for the Environment has introduced a completely new Bill that has taken up the time of the House, during which we could have dealt with this Bill, many of whose subjects remain undebated in this place?

Mr. Wakeham: Of course it is not ideal to have a timetable motion, but a substantial amount of time has already been devoted to the Bill. Some of that time has not been used effectively, and something must be done about it. All Governments and Parliaments get into this classic situation at some stage and decisions have to be made. I am putting forward proposals to resolve the mater which will be best for all concerned. I hope that the hon. Gentleman will support me.

Mr. Tony Marlow (Northampton, North): My right hon. Friend the Leader of the House is very kind. This side of the House takes the view that the introduction of timetable motions is a great kindness to the Opposition, given the devastating by-election result last night in Govan and their need to look after and foster their constituencies.

Mr. Wakeham: I thank my hon. Friend for his kind words. I wondered how long the debate would continue before Govan was mentioned. A period of silent contemplation is more appropriate in certain quarters than discussion of that matter.

I was dealing with the question of the—*[Interruption.]* May I welcome my hon. Friend the Member for Tayside, North (Mr. Walker) to the House. I was dealing with the question of the amendments to the Housing Bill, of which 30 deal with matters of substance. Of these, well over half are items which the Opposition have welcomed, are likely to welcome, or have tabled themselves. All the Government amendments to this Bill in the Lords were agreed to without a Division. Thus there is no reason to think that it would not be possible to agree the amount of time for this House to consider the amendments. When I announced last week that they would be taken on 9 November, together with amendments to the School Boards (Scotland) Bill, there was not a word of complaint or concern from the Opposition Front Bench or Back Benches.

Yet it is clear that by Wednesday night the arrangement between the Government and the official Opposition was not generally acceptable to the House. In eight hours of discussion, only nine of the 53 groups of amendments had been considered. If we had maintained the same rate of progress, we should have required about another 40 hours to complete consideration of the Bill. Had we continued to sit, that would have meant losing yesterday's and today's business.

Mr. Spearing: The right hon. Gentleman is wrong. Will he give way?

Mr. Wakeham: No, I shall not give way.

Mr. Graham Allen (Nottingham, North) *rose*——

Mr. Wakeham: I gave way to the hon. Member for Newham, South (Mr. Spearing) on a question of fact. If he wishes to make a speech, that is not a matter for me, but if he does I shall listen with interest to what he has to say.

Mr. Allen *rose*——

Mr. Wakeham: It seemed to me that the best way to proceed in an orderly fashion was to adjourn our consideration and bring forward this motion today. *[Interruption.]* I do not believe that facts are a matter for debate, as they seem to be with the Opposition. Facts are stated and then one can debate their consequences.

Mr. Allen *rose*——

Mr. Wakeham: The hon. Member for Nottingham, North (Mr. Allen) will, as usual, put forward his authoritative interpretation of events, as he does on most matters.

The terms of the motion itself are intended to enable the House to make the use it thinks best of the six hours available. The motion is capable of being debated for three hours, and if the debate runs its full course a maximum of one hour would be left for consideration of the School Boards (Scotland) Bill, and a further two hours for the Housing Bill. If, however, the House spent less time discussing this motion and took the School Boards (Scotland) Bill formally, then that additional time within the total of six hours would become available for consideration of the Housing Bill where, I recognise, there is a large number of amendments outstanding. [HON. MEMBERS: "Oh."] This has been done so that if the Opposition are as keen as they say they are to debate the issues relevant to the Housing Bill, they can choose to take up the extra time to do so.

At this stage of the Session, one's thoughts inevitably turn to Prorogation. This has been arranged for Tuesday 15 November and I believe it would be a major inconvenience to the House if that were altered. This being so, in order to secure our business, we need to be certain that our consideration of these Bills can be concluded today, not least because the Housing Bill is to return to another place.

Mr. Clive Soley (Hammersmith): Is it not a fact that this is the first time for more years than anybody can

[Mr. Clive Soley]

remember that a Government have got a major Bill into such an appalling mess that they have been unable to bring it back to this House until the day before the Session ends and that it would have fallen otherwise?

Mr. Wakeham: I reject entirely the hon. Gentleman's judgment. Whether this is a precedent seems to me not to matter. Every precedent happens for the first time. *[Interruption.]* That is absolutely right. If the hon. Gentleman will not take that from me, I suggest that he should look at what his right hon. Friend the Member for Blaenau Gwent said:

"That is a powerful argument. . . . All precedents have been set in this manner. Therefore, precedent of itself is not a conclusive argument."—[*Official Report*, 14 March 1968; Vol. 760, c. 1703.]

Already we have completed almost all the ambitious legislative programme we set out to achieve in June last year. We must ensure that these two Bills are not lost. Both contain important reforms: in the case of the School Boards (Scotland) Bill, the involvement of parents in their children's education; and, in the case of the Housing Bill, measures which will go a long way towards improving the housing situation in this country. Both will substantially increase individual choice and will be widely welcomed.

I urge the House to support the motion.

9.49 am

Mr. Frank Dobson (Holborn and St. Pancras): The guillotine motion which the Leader of the House has just proposed is quite extraordinary, as it proposes that the House should devote to 62 pages of proposed legislation that affects the housing of more than 5 million tenants less time than most Conservative Members would expect their lawyers to devote to the buying and selling of their homes.

We have this extraordinary motion because we are in a most extraordinary situation. The Government's business managers have the benefit of a majority of 100 in the House. They have a guaranteed majority among the geriatrics in the other place. We are approaching the end of one of the longest Sessions in parliamentary history. It has gone from June 1987 to November 1988, and is laughably called a parliamentary year. Nevertheless, the Government need to guillotine two Bills on the last but one sitting day of the Session. Nothing could demonstrate more effectively the incompetence of their business managers.

This is a record bit of incompetence. This is the first parliamentary Session in history—*[Interruption.]* If the chairman of the 1922 Committee would like to get his bottom off his seat, I shall be happy to give way to him.

Mr. Cranley Onslow (Woking): I am most grateful to the hon. Gentleman for giving way, and I hope that he will answer my question. He talks of incompetence, but where was his Chief Whip when the shambles was going on among Labour Members? They were an undisciplined rabble again.

Mr. Dobson: There was no shambles on this side of the House. Opposition Members—I do not mean only members of my party—were anxious about matters affected by the Bill and wanted to debate them properly. They wanted enough time to do that.

Mr. Skinner: So much attention was being paid to this matter the other night that even the hon. Member for Southwark and Bermondsey (Mr. Hughes), who normally gets home by 12 midnight, became incensed and stayed as well.

Mr. Dobson: I was quite right not to claim a monopoly of concern on this matter.

I spoke to the Clerks last night. They were reluctant to believe me when I asserted that this must be a record Session. When they checked, they confirmed that this is the first time in parliamentary history that a Government have guillotined as many as six Bills in one Session. The Government guillotined the Education Reform Bill, the poll tax Bill, the Firearms (Amendment) Bill, the Social Security Bill and now we are expected to guillotine the School Boards (Scotland) Bill and the Housing Bill. That tally is based on the strictest reckoning. There were in fact two Education Reform Bills. The first Bill was so altered by the inclusion of provisions to abolish the Inner London education authority that the Bill had to be brought back to the House and reguillotined so that the Government could get it through. We could argue, therefore, that the record is even bigger and that the Government have guillotined seven Bills in one Session.

The previous record was five, which has happened three times, but never in the extended first Session of a Parliament. That demonstrates how incompetent the Government are. They have been reduced to imposing a guillotine six times in one of the longest Sessions in history. It has been a complete mess. With all the advantages—the length of time and the size of their majority—the Government have been reduced to this. That demonstrates their incompetence, particularly the incompetence of the Leader of the House and the Government Chief Whip, who is not present.

Perhaps the latter should revert to his old title of Patronage Secretary. If what I have been told by Tory Members is true—I leave it to Conservative Members to decide whether their colleagues tell the truth—the Patronage Secretary went around last week persuading some of his flock to vote for charges for dental and optical check-ups by promising them extra money for hospitals in their constituencies. No doubt the right hon. and learned Gentleman wants to go down in history as "Porkbarrel Waddington" or "Dodgy Dave". What he was not doing, however, was organising the Government's business.

We are today being asked to impose a guillotine on the consideration of Lords amendments to two Bills. Both are obnoxious and do not have the support of the people who will be most affected by them—parents and teachers in Scotland and public and private tenants in England, Scotland and Wales. The School Boards (Scotland) Bill was described well by my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) in the debate on 12 April when he urged the House to reject the Bill because it

"pays only lip service to the genuine need to encourage parental involvement in Scotland's schools, will divide parents and teachers, has been rejected by educational opinion and has now been revealed as a paving measure for alien and irrelevant plans to allow schools to opt out of the public sector, which can only damage the proud and distinctive educational tradition in Scotland."—[*Official Report*, 12 April 1988; Vol. 131, c. 43.]

How right he was.

In view of my hon. Friend's comments, it might be reasonable to expect the Lords amendments to be

obnoxious, but they are not. They are quite technical and in many cases simply correct sloppy drafting by the Government. Surely the Government do not need a guillotine to force through debates on such momentous changes as,

"delete 'one third' and insert 'one half'"

or,

"insert 'as often as appears to be necessary'",

whatever that might mean. Why do they need a guillotine to get 21 such small and insignificant amendments through?

Mr. Allen: Does my hon. Friend agree that it will be extremely difficult to explain to people outside that although we had a lengthy summer recess and will not sit Wednesday, Thursday and Friday of next week, or on Monday of the following week, we are short of time in which to discuss matters of great importance to many people?

Mr. Dobson: There is something in what my hon. Friend says, but we should bear in mind what my hon. Friend the Member for Bolsover (Mr. Skinner) said. At the behest of the Prime Minister, at the behest of the chairman of P and O no doubt, the Government decided that they were so committed to getting P and O's shoddy, bought planning permission Bill through the House that they sacrificed a whole day of Government business and then trousered the £100,000 contribution to Tory party funds which was the pay-off for their squalid arrangement. That is how part of the House's time has been used.

The Lords amendments to the Housing Bill are in a quite different category. They are not at all like the minor and limited amendments to the School Boards (Scotland) Bill. There are 273 Lords amendments to change the law on housing in England, Wales and Scotland. Those amendments have attracted 43 further Commons amendments, eight of which have been tabled by the Secretary of State himself. As far as we know, the Government originally intended those 273 amendments to be dealt with by 10 pm on Wednesday of this week. The debate started at 5.12 pm, leaving four hours 48 minutes for the debate which was less than one minute for each amendment. That was the ludicrous proposition that was put before us.

It is not as if the Bill is not important and complicated. It is extremely important and complicated and requires a great deal of time for detailed consideration. If any Conservative Members challenge that, they should be asked why, if they were so keen to get the Bill through quickly, it took them from 15 March until 9 June to formulate further amendments after the Bill came out of Committee and before it came back to the House on Report. If it took the Government and their civil servants three months to cobble together the amendments, why were we expected to deal with those amendments in about three days? The Leader of the House claimed that there was an agreement with him that if we did X, Y and Z the Bill would get through, but that is not true. It was not true at the time, and the fact that he repeats it at the Dispatch Box does not make it any more true today.

Nobody should forget that in the middle of the row about progress on the Housing Bill, the right hon. Gentleman went to see my right hon. Friend the Deputy Leader of the Opposition and threatened, "If you do not lay off on the Housing Bill, we will not be able to get the Short money for Opposition parties through the House." That is the standard of conduct that was being used to drive the Bill through the House earlier this year. We continue to object to such practices.

Mr. Simon Hughes: Does the hon. Gentleman agree that the row was not simply across the Chamber? One of the reasons for the delay of many months was an internal dispute in the Department of the Environment between Ministers charged with the passage of the Bill over what the Bill should contain. We were given many promises about concepts which would become law, but which never materialised.

Mr. Dobson: I entirely agree with the hon. Gentleman. We should have loved to be party to the aristocratic discussions about ordinary people's housing that were taking place between the Secretary of State and the then Minister for Housing and Planning. I am sure that they would have been most revealing.

The Bill, whether or not it has been amended by the Lords, reveals modern Toryism in its crudest form. It ultimately intends to offer two alternative forms of tenure: to be an owner-occupier, or to be a private tenant, no doubt of a Tory landlord. The object of the Bill is to take away security, drive up rents and, ultimately, to get rid of public sector housing, which has offered decent standards of housing, a decent level of security and affordable rents to millions of people, as it has been demonstrated for decades that the private commercial sector is, and will always be, incapable of providing a decent home for people who are not very well off at rents that they can afford, and maintaining those homes in a decent condition. Private landlords have never been able to do that. Nothing will be changed by passing a law in the House. It will remain impossible for private landlords to do a decent job for ordinary people.

Mr. David Winnick (Walsall, North): Does my hon. Friend agree that, apart from all the harm that the Bill will do in the public sector, it will endanger those who have reasonable accommodation in the private sector who are subject to regulated tenancies and who will be at the mercy of landlords who will know that when those tenants are evicted—legally or otherwise—the accommodation can be relet at market rents? Therefore, once again there is the potential danger of Rachmanism.

Mr. Dobson: My hon. Friend is right, but the Bill goes further than that. Under the assured tenancy concept in the Bill, the Government are trying to create the impression that something is assured for the tenant. The only things assured for the tenant are insecurity and higher rents.

I believe that the Bill is a precursor to removing whatever security private tenants now have and that we will have another Housing Bill in which the Government will try to line the pockets of their landlord friends and remove all security of tenure from private tenants. The Bill is a landlords' charter. It will encourage property speculators to roam council estates trying to identify those which they think they can buy up, tart up and sell off. The Government say that they have provided some protection against that by giving the tenants the opportunity to vote on whether they want a private landlord. That is all very well, until we discover the terms under which those referenda will be conducted. If General Pinochet had conducted the recent plebiscite in Chile on the basis on

[Mr. Dobson]

which the Government have said that tenants will be allowed to choose whether to have a private landlord, he would have won the referendum despite the views of the people of Chile.

Under the Bill, even the dead will be able to vote for a private landlord. In some senses that is quite reasonable, or at least logical, because only the brain dead would vote for a private landlord. That brings me to the House of Lords. Some people have said that they had hoped the House of Lords would introduce a more democratic element into the Bill. They do not realise that the full title of the House of Lords is the house of landlords. Most of them are landlords. They voted to impose the poll tax because they will do so well out of it financially. It will be interesting to know how many noble gentlemen and ladies declared an interest because of the money that they stood to make if the measures were passed, because they strengthen the hands and line the pockets and handbags of private landlords. In view of some of the backwoods people who were dragged out to support the Bill in the House of Lords, I understand how they might sympathise with the idea that the dead should be allowed to vote. That would guarantee an even bigger Tory majority in the other place.

The Bill does nothing to help most people presently living in public sector housing or private rented accommodation. Opposition Members are convinced that the Bill will create homelessness. Where will people go if they cannot afford to pay the new rents? Who will have the obligation to house them, and will those who have that obligation have any houses for them? There are no houses for them now. That is why they are reduced to living in lodgings. At the moment, about 10,000 of our fellow citizens in London live in filthy, stinking, rotting, verminous and vile bed-and-breakfast accommodation.

Conservative Members would not like the idea of living with their children in one room of a bed-and-breakfast hotel. None of them would like to think that their children, having had an interrupted night, and with no opportunity to relax and no space in which to play, had to get up in the morning and go to school. Conservative Members, particularly the right hon. Member for Mole Valley (Mr. Baker), who poses as the Secretary of State for Education and Science, criticise teachers for not doing a good job. How can they do a good job with a small child who has not had a decent sleep, or anything decent to eat in the morning, no relaxation and no place in which to play? That is the position before this preposterous Housing Bill becomes law. Many people will become homeless after its passage.

It is logical that the Bill should harm the homeless, because it was the product of a White Paper on housing that talked about the housing of everyone except those who most need it—the people who are already homeless. The White Paper produced by the Secretary of State did not even mention the word "homeless". The right hon. Gentlemen pays so much attention to the problems of homelessness, which is at record levels, that he cannot even get the word into his White Paper.

I am glad that the Secretary of State is here today, because he was following a precedent that he set. He is good at leaving out important words. He was the man who laid down the rules for the future conduct of London Regional Transport. Faced with an Act of Parliament which said that LRT should consider economy, efficiency and safety, he wrote an 838-word letter telling LRT what its priorities were, but he did not mention the word "safety". It was all about economising and so-called efficiency. This Bill is all of a piece with the Secretary of State's record. He did not mention safety for people travelling on the Underground, and he does not mention homelessness when he is talking about housing.

That is the sort of person who, in a most incompetent manner, is presiding over the Bill. I feel rather sorry for the Leader of the House. It must be terrible having to cope with the right hon. Gentleman, whose incompetence and arrogance are an amazing combination.

This obnoxious Bill was not substantially improved by the House of Lords, and the House should have the opportunity to set right what the other place has done wrong. It should be given the time to put back into the Bill the measures which my hon. Friend the Member for Hammersmith (Mr. Soley) has worked so hard to include. We must try to make a tolerable measure out of this intolerable Bill.

The Leader of the House heaped paeons of praise on himself for all the Bills that the Government had managed to get through this Session. Many of his friends in the Press Gallery—they were his friends until last Friday—said, "How clever he and the Prime Minister are to get all this controversial legislation out of the way in the first Session." There is a curious assumption that the Housing Bill, the Local Government Act which introduced the poll tax and the Education Reform Act are unpopular only in Parliament. The Government know how unpopular the Housing Bill is now. Just wait until it is put into practice, and then they will know how popular it is outside.

10.13 am

Mr. Robert G. Hughes (Harrow, West): An engaging feature of the hon. Member for Holborn and St. Pancras (Mr. Dobson) is that he never allows facts to get in the way of the arguments that he wishes to put. He takes no account of what has happened in the House when he makes his standard speech, with the standard amount of abuse, on guillotine motions.

I welcome the guillotine motion—[HON. MEMBERS: "The hon. Gentleman always does".] Unlike those Opposition Members who are talking from a sedentary position, I served on the Standing Committee that considered the Housing Bill and was present during many of the debates. There was a big difference between the debates in Standing Committee and our debates on the Floor of the House.

Mr. John Battle (Leeds, West): Does the hon. Gentleman agree that the Bill that has been returned to us from the House of Lords is vastly different from the Bill that we discussed in Committee and that we have a right to discuss those changes? Will he explain why the present proposals on the housing action trusts are different from those which we debated in Committee, or has he not noticed the changes?

Mr. Hughes: I always suspected that the hon. Member for Leeds, West (Mr. Battle) was not listening in Committee, and I have been proved right. My hon. Friend the Member for Bristol, West (Mr. Waldegrave), the former Minister for Housing and Planning, generously

agreed to make many changes to the Bill in Standing Committee, with the standard words, "We shall return to this and produce our own amendment when the Bill goes to the other place." The fact that he so generously responded to points made on both sides of the Committee cannot be used by the hon. Gentleman as a criticism. My hon. Friend kept his word and amendments were introduced in the other place. Of course, the Bill is different, but that is because of the points that were made during genuine debate in Committee.

Because of the Opposition's tactics we have not had a genuine debate on Report or on the Lords amendments to the Bill. I welcome the guillotine motion because I and many of my hon. Friends will wish to speak on some of the issues later today. We were not prepared to take part in a filibuster and time-wasting exercise by the Opposition. I remind the House of some of their tactics. To extend the debate on the homeless and to make a point about the housing conditions in some of our cities, on Report the hon. Member for Wentworth (Mr. Hardy) made bird noises in the Chamber. We heard long speeches, including one from the hon. Member for Bolsover (Mr. Skinner), that did not mention housing. The Report stage was a farce, and I was not prepared to take part in it.

During the debate on the Lords amendments, I and my hon. Friends listened with great interest, and with a sense of déjà vu, to a speech by the hon. Member for Makerfield (Mr. McCartney). It became clear that the hon. Gentleman was reading from the *Hansard* report of a speech that he had made in Committee. It did not make sense then, and he said it with even less conviction on this occasion.

Mrs. Alice Mahon (Halifax): To my knowledge, the hon. Gentleman made no speeches during any stages of the Bill—[HON. MEMBERS: "He did."]—or made very few on the issues that I have always raised, and raised the other night on the Floor of the House: homelessness, housing those with special needs, and the Government's disgraceful record on repairs. If the hon. Gentleman had been a little more forthcoming about some of the matters that he mentions now, we would have known his views on the Bill. He was silent for most of the time.

Mr. Hughes: I understand the hon. Lady's disappointment. In Committee, I moved two amendments to the Bill, one of which was successful. The hon. Lady moved many amendments, none of which was successful.

Mr. Ian McCartney (Makerfield): The hon. Gentleman, not for the first time, has made a personal attack to hide the fact that he knows nothing about the plight of the homeless. I have made similar speeches in Committee, on Report and now because the Government have not yet answered the points made. I shall continue to say those things until the Government decide to deal with the problem of homelessness. The hon. Gentleman absented himself from the Committee on many occasions when he could have put his views on the homeless in London.

Mr. Hughes: I do not mind that attack from the hon. Gentleman. One has only to look at the records to note that my attendance rate was at least as good as that of the hon. Gentleman. I do not mind that.

I shall refer to some items that I would like to be discussed when we have a proper debate, rather than the Opposition's filibustering. The first item is homelessness. It is quite right that the Bill does not mention the word "homelessness". We do not need to mention the word "homelessness" to come up with solutions to the problem. The massive changes that are being made in housing supply——

Mr. Battle: On a point of order, Madam Deputy Speaker. The Bill now mentions the word "homelessness". Perhaps the hon. Gentleman has not yet read it.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. That is not a point of order for the Chair; it is a point for debate.

Mr. Hughes: The variety of supply that this Housing Bill enshrines will be of enormous help to homeless people, and the added funds that will enable housing associations to do a better job will have a great effect on homelessness.

Another problem that will have a great effect on homelessness—I should like it to be discussed when we consider the remaining clauses of the Bill—is that of empty property. Opposition Members claim to be housing experts, but they are empty property experts. We have noticed that the people who speak loudest about the problem of homelessness in London come from boroughs in which Labour councils hang on to empty property and pretend that there is no way that they can fill it. They are the masters of empires of empty housing. The borough of Newham has several thousand empty properties.

The Inner London education authority—thankfully, to be taken from the people of London—has had some properties empty for 25 years. I can understand that it does not want to hurry itself into making a decision, but I am concerned about the people who could live in such houses. It is a disgrace that two properties in one road in Greenwich, which has a homeless persons problem, have been kept empty by the Inner London education authority and by the political friends of the Opposition for a long time.

Mr. Matthew Carrington (Fulham): Before my hon. Friend moves from the subject of homelessness and empty properties—a problem that has taxed many of us in London for many years—I should hate him not to mention the fact that Labour councils are not only keeping homes empty but Labour councils such as the London borough of Brent are keeping homes full of people—if reports are to be believed—from foreign parts, who perhaps have no entitlement to be there. The London borough of Brent does not realise that there is a black market in Nigeria —if that is the right expression—for filling homes with students who could well afford to pay for accommodation elsewhere.

Mr. Hughes: My hon. Friend has made an extremely important point. One thing that has kept so many flats and houses empty is the total chaos in which the Opposition's housing empires are run. If they try to rent out such properties, it would probably help if they had accurate records on whether they owned them. For instance, when the London borough of Tower Hamlets owned some property—I accept that that borough is now Liberal, but Opposition Members try to pretend that it is not—it would help if——

Mr. Patrick McLoughlin (Derbyshire, West): On a point of order, Madam Deputy Speaker. I wonder whether it could be confirmed that the hon. Member for

[Mr. Patrick McLoughlin]

Hammersmith (Mr. Soley) is handing to Opposition Members copies of the Govan by-election result. If so, may Conservative Members have some, too?

Mr. Hughes: Many properties are being kept empty because of the confusion, bad management and lack of political will and direction of Labour councils in London.

Mr. Rhodri Morgan (Cardiff, West): The hon. Gentleman is making an important point about how better to use empty properties. Does he contest the statistics that show that the average level of empty property, as a percentage of total property, is lower among local authorities than among the empires, as he referred to them, of the Conservative Government?

Mr. Hughes: I accept that in the areas of most need in Greater London—in the centre of our city—thousands of properties are being kept empty by Labour councils. We should find that very unsatisfactory. Of course there are empty properties elsewhere, but, in areas of need, Labour councils are letting down the people of this country.

Mr. John Bowis (Battersea): Will my hon. Friend confirm that, in London, there are 25,000 empty council properties, mostly in Labour-run authorities, and 7,500 families in bed-and-breakfast accommodation? Not one of the people to whom the hon. Member for Holborn and St. Pancras referred need have been in bed-and-breakfast accommodation or in the conditions to which he referred had his Labour authorities taken over such properties and put them back into use.

Mr. Hughes: My hon. Friend is absolutely right.

Mr. Spearing *rose*——

Mr. Hughes: It is significant that the hon. Member for Newham, South (Mr. Spearing) seeks to intervene. The borough that he protects and represents is one of the worst offenders when it comes to keeping properties empty.

Mr. Spearing: Does the hon. Gentleman understand that no Labour council wishes to keep the homeless out of empty homes? Conservative Members should get some facts right. They know that, through the housing improvement programme, their Government cut money. In my constituency, there are 1,000 dwellings in the sky, because of the defective and rotten construction of tower blocks, for which private enterprise and bad design are responsible.

Mr. Hughes: Conservative Members should be generous and accept that, of course, Labour councils do not want to keep people out of that accommodation and that it is more a matter of incompetence than of not caring.

Mr. Spearing: It is money.

Mr. Nicholas Bennett (Pembroke): The hon. Member for Newham, South (Mr. Spearing), who is in danger of losing his seat in the next election because he has the largest swing against him, overlooks one important point about the London borough of Newham. It does not collect its rent. It is owed more than £3 million. If it were to collect that money, it could bring into use some of its 2,400 empty properties.

Mr. Hughes: The interest of Conservative Members and the reaction of Opposition Members demonstrate that that is an important point: there are two distinct views that we should like to discuss. The Opposition's tactics have led to the necessity for a guillotine motion to enable Conservative Members to make their contributions and put the arguments that floor the Opposition.

Mrs. Mahon: On the question of repairing empty council housing, will the hon. Gentleman explain how my local authority, Calderdale, which has been Tory or Liberal-controlled for the past 10 or 12 years, has an £80 million bill to repair council housing? His Conservative friends on the council have blamed his Government.

Mr. Hughes: A council housing empire, whether run by the Conservative party or the Labour party, does not work well. Opposition Members make an art form out of not running council housing empires well.

Mr. James Paice (Cambridgeshire, North-East): It will not have escaped my hon. Friend's notice that, because of the shenanigans and filibustering here on Wednesday night, Conservative Members have been prevented from discussing housing and homelessness. We have lost the debate that should have taken place this morning on that very subject, when, no doubt, the House would have been regaled yet again by the same speech from the hon. Member for Makerfield (Mr. McCartney).

Mr. Hughes: I am grateful to my hon. Friend for his intervention.

I wish to move on now to housing action trusts.

Mr. Simon Hughes: There is some amusement and concern among Opposition parties. The hon. Gentleman who has just intervened is unknown to Opposition Members. I wonder whether we could know who he is.

Madam Deputy Speaker: I suggest that hon. Members carry out their own research. There are plenty of reference books around.

Mr. Robert G. Hughes: Bearing in mind that the hon. Member for Southwark and Bermondsey (Mr. Hughes) always claims to have a huge research staff, one would think that he would know my hon. Friend the Member for Cambridgeshire, North-East (Mr. Paice).

One reason why Opposition Members do not want the Bill to be debated properly in the House is that they know that some of the worst estates in this country are in areas where there is despair and grossly bad housing and that they have no answer to those problems. I refer, for instance, to the people of the Ocean estate in Limehouse. The Labour party poses as the friend of those people, but Opposition Members have never provided an answer to those people or decent housing in such areas. The Labour party has pontificated and Labour councillors have stood outside polling stations at local elections, saying "Vote for me today, love, and I will make sure that you will get a decent flat." The Labour party indulges in decent honourable politics like that, but has never done anything to help the people in those areas.

The reality of the housing action trusts is that the Government will produce a substantial amount of money to bring real and genuine help to those areas. That is what Opposition Members do not like and what they do not want to be debated. Under the Bill the HATs will be

statutorily required to consult tenants about their plans for the future. That is right because, of course, tenants must be consulted about what will happen in their areas.

However, I hope that the people in the areas that the Government have designated as housing action trusts will understand that the Government are serious and genuine about wanting to bring them some relief and about wanting to see those areas thrive and prosper, with their people decently housed. People should look back at the record of the mainly Labour councils—there is one Liberal council—and ask themselves, "Has my council ever done anything to help me? Has the Labour party ever come up with a genuine solution to the problems of places such as the Ocean estate?"

Mr. Dobson: As the hon. Gentleman and his hon. Friends have been pedalling that lie for the past 100 years, will he explain why none of his hon. Friends represents an inner city area?

Several Hon. Members *rose*——

Mr. Hughes: I am surrounded by inner-city colleagues who do not seem to think that the hon. Gentleman is right. What the hon. Gentleman might find slightly chilling is that, with the exception of the time when I was the opponent of the hon. Member for Southwark and Bermondsey (Mr. Hughes)—I shall draw a veil over that because I did nearly as badly as the Labour party did yesterday in Govan—we have a record of success. We should consider the size of the swings in the number of votes from the Labour party, mainly to the Conservatives, when, for instance, I was the Conservative candidate for Stepney and Poplar and my hon. Friend the Member for Broxbourne (Mrs. Roe) was the candidate for Barking. The message has not yet got through, but it is getting through. People will understand that their real friends are the Conservative Government and that we are the people who will bring prosperity to those areas.

Some time—but not enough—was spent in Standing Committee discussing houses in multiple occupation. My hon. Friend the Member for Bristol, West, then the Minister for Housing and Planning, stated:

"We shall propose a revised definition of an HMO. We shall propose that the management regulations on HMOs that apply minimum standards should apply to all HMOs. We shall also make proposals for simplifying and improving the control order procedure. We shall consult local authorities on means of making the registration scheme more effective."—[*Official Report*, 9 June 1988; Vol. 134, c. 1062.]

The point that I should have made if we had had a decent debate, and the point that I hope to make later today, is that one problem of houses in multiple occupation is fire. I hope that my right hon. and hon. Friends on the Front Bench will take that point on board either in this Bill or in the future. A recent survey sponsored by the Department of the Environment estimated that there are 343,000 HMOs in England and Wales. At the very minimum, that means that 1·25 million people live in HMOs. The survey also revealed that 74 per cent. of HMOs lack the legally required means of escape, so on those figures more than 1 million people are living in danger but do not have a right to be told of it.

Mr. McCartney: On a point of order, Madam Deputy Speaker. The hon. Member for Harrow, West (Mr. Hughes) is reading the speech on multiple occupancy that I made on Report. I object to him using it without my permission. My research was invaluable.

Madam Deputy Speaker: The hon. Gentleman's objection does not constitute a point of order.

Mr. Hughes: The hon. Gentleman was right when he said that I was reading, but I was reading a press release from the Community Rights Project, which is an expert in this area. The part of the press release that I was reading was a quotation from an hon. Member of this House—the hon. Member for Harrow, West.

Mr. Julian Brazier (Canterbury): If the hon. Member for Makerfield (Mr. McCartney) had bothered to turn up for more than a handful of the sittings of the Standing Committee of which he was supposed to be a member, he would know that there had been changes in the arrangements for copyright in *Hansard*.

Mr. Hughes: As ever, I am grateful to my hon. Friend.

The Labour party is making such a fuss, but not necessarily strong arguments, because it has built up a head of steam behind its own scare tactics. Labour Members have been going around the country scaring people into believing that they will lose their homes and that there will no longer be any affordable homes. The opposite is the truth. Labour Members have used scare tactics in connection with previous legislation and their assertions were not true then. They have said, "If you buy your own home, you will be made homeless because you will not be under the care of the local authority." Those scare tactics need to be nailed, but Opposition Members are scared of their tactics being nailed.

Opposition Members are also scared because they recognise that this Bill is probably the most important Bill this Session. Opposition Members recognise, as I recognise and the Government recognise, that this is the beginning of the end of the housing empires on which the Labour party has thrived and from which people have suffered for so many years. When the Bill is enacted and takes effect, it will have a direct effect on homelessness. It will improve housing choice and housing conditions. The only people who will suffer are Labour Members and their votes in the inner cities.

10.36 am

Mr. Peter Archer (Warley, West): Some of us would like to have known the view of the hon. Member for Harrow, West (Mr. Hughes) on several issues relating to the Bill. Unhappily, the *Official Report* of the Committee stage does not assist us greatly. Perhaps one of the arguments against the motion is that, if there had been the time, the hon. Gentleman might have intervened at this stage to give us his views.

After his contribution I will return to the motion. The case against it has been deployed clearly by my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) in so far as it relates to the Housing Bill. The other place was sent a Bill of 127 clauses and 15 schedules and of great importance to the homes of many of our constituents. Their Lordships considered it carefully, as we would expect—we would have complained if they had not—and sent us back 62 pages of amendments. Every consideration of constitutional propriety, every consideration of democracy, every consideration of common courtesy and of decency to the other place would suggest that we should give careful consideration to their Lordships' suggestions.

However, the Secretary of State for the Environment —or perhaps more accurately his right hon. Friends the

[Mr. Peter Archer]

Government's business managers—decided that we should deal with all the amendments in one day. When, in consequence, the hour grew late, they decided that the domestic arrangements of their supporters were more important than the Lords amendments and people's homes. So they would not consider these matters on Wednesday and now they want to bundle them all through in one day. In essence, that is what the motion is about.

Perhaps it has been worth having this debate, because we have heard some novel constitutional doctrines. We have heard from the Leader of the House that facts are not debatable and that if the Government say something three times, it is true. At least that is another footnote for the constitutional books of the future.

My principal concern relates not to the Bill in general, but to a more specific matter relating to Lords amendments Nos. 72 and 73 on housing action trusts which have given rise to great concern and anxiety in my constituency. I can imagine the Secretary of State saying, "What is your problem? I am now proposing to the House the very action that you have been urging on me, so I have seen the light." I could understand that submission, although I am not sure that "light" is the correct analogy with which to describe the Secretary of State's mental processes. I doubt whether much light penetrates the fog. I think that during discussions within the Government, they grasped, albeit belatedly, that—even accustomed as the Secretary of State is to mental bilocation—they could not at one and the same time maintain that the Bill is about offering tenants the right to choose and somehow enhancing their freedom while simultaneously denying them the voice on who their landlord should be.

There is a limit to doublespeak, even when the contradiction is between two propositions, both of which are false. But presumably, the Secretary of State intends to admit that he is wrong and is trying to put matters right. As that does not happen very often, perhaps we should encourage the Government in that well-doing. If there were time, some of us would do so. However, we would want to ask the Secretary of State a number of questions about the ballots, because there is still great anxiety about them.

It is only fair to help the Secretary of State to understand some of the implications of his own proposal——

The Secretary of State for the Environment (Mr. Nicholas Ridley): Why did the right hon. and learned Gentleman not intervene in the debates on Report?

Mr. Archer: I did not do so for one simple reason—that those debates had not reached amendments Nos. 72 and 73. My concern is that we may still not reach them.

Mr. Ridley: I cannot let the right hon. and learned Gentleman get away with that. He has said that he is in favour of a ballot on HATs. He did not attend Report to say so, yet at that time the Government had not agreed to such ballots. Why did he not do so?

Mr. Archer: On Report we had no idea whose constituencies would be affected. Is the right hon. Gentleman suggesting that all 650 hon. Members should have intervened on Report just in case any of their constituencies would have HATs? If so, that cuts across the argument that the Leader of the House advanced this morning. Any such debate would have lasted for ever.

Mr. Soley: For the first time the Secretary of State—perhaps unintentionally—is in danger of misleading the House. In Committee, the then Minister for Housing and Planning promised to announce the HAT areas before Report. The Government reneged on that promise, so that on Report no hon. Member knew whether his constituency would be affected. Indeed, the Government admitted that they had failed to deliver. It is yet another sign of the mess in which the Secretary of State finds himself.

Mr. Archer: I am grateful to my hon. Friend for an intervention of fact.

If the Secretary of State had permitted, I would have said that we would have been prepared to discuss these matters with him at every stage. In answer to a question by my hon. Friend the Member for Newham, North-West (Mr. Banks) on 14 June, the then Minister for Housing and Planning said that the Government had not decided on the HAT areas but that as soon as a decision was made he would tell us. I received a letter from the Minister dated 11 July. I presume that it was posted on that day, but it was certainly not delivered on that day. Yet, at 3.30 pm that very day, without even the courtesy of a telephone call, the Secretary of State announced to the House that there would be a HAT in my constituency. I assume that my hon. Friend the Member for Warley, East (Mr. Faulds) was treated in the same way.

Mr. Andrew Faulds (Warley, East): In fact, the obfuscation was much more profound than that. The Secretary of State did not want any right hon. or hon. Member to know what he was planning. I happened to receive, much before 11 July, an interesting and glossy document. I do not usually read the Government's propaganda, but for once I thought that I should peruse that document. On the last page, under local authorities in the west midlands, is mentioned Sandwell—Windmill lane. That was much before 11 July. I wrote immediately to my town clerk asking what it was about. He had never heard of it. There had been no consultation; there had been no discussion. I received the courtesy, if one can use the phrase about the right hon. Gentleman, of a letter dated 11 July, some weeks after this had blown.

Mr. Archer: It is certainly true that Sandwell council was not aware of that. Again, it was sent a letter dated 11 July. The first sign that councillors had that a HAT was proposed in their area was when they heard it on the television news that evening. The tenants were not told what had happened; they learnt about it in the same way. They then received a letter telling them what they already knew.

At that stage, the Secretary of State said that he was still prepared to consult, although even he did not try very hard to suggest that he was approaching the matter with complete objectivity or in a spirit of scientific inquiry. If he had at any stage consulted any of us, we could have spared both him and his Department a great deal of embarrassment. He would have found that, on some matters, we actually agreed with him. I certainly agree that there are problems in Sandwell. We have been trying to elaborate on them over the years. You, Madam Deputy Speaker—although I accept that I must not involve you in

any controversy—have been most assiduous in reminding the Government that there are problems in Sandwell. My hon. Friends and I have been doing the same. Had there been an opportunity today, I could have elaborated on our problems. We thought that the Government were not listening to us.

Mrs. Mahon: They were not.

Mr. Archer: I am not sure about that. There was no reaction from the Government, and they never did anything about the problems. But they have now announced that there are problems in Sandwell, so perhaps they listened to us after all. But had the Secretary of State asked us for help at any stage, we could have spared him and his Department so much embarrassment because we could have told him the facts.

The high-rise flats in Whiteheath in my constituency have indeed been the subject of many problems. They have been a nightmare for those living in them. But they were empty by the time the right hon. Gentleman made his proposal. The tenants had been moved out and rehoused in other accommodation. Sandwell council—starved of resources as it is—has already spent £4·9 million on rectifying those problems. It is proposing to spend another £2·5 million in the next financial year. The council did not keep that a closely guarded secret; it consulted. Indeed, it even consulted the Secretary of State's Department and spoke to his officials. Had the right hon. Gentleman taken the trouble to ask his officials, they could have told him that they had given departmental approval for the council's plans.

I expect that the Secretary of State will say now, as he said then, that he does not need to know any more because he is already sufficiently informed. I have no doubt that, by now, he will have an interim report from Price Waterhouse, whose staff have been to the Lion Farm estate asking tenants to make statements about how much they appreciate the Secretary of State's concern for them. He must know what the result of the ballot will be. Whether or not there is joy in heaven over a truly repentent sinner, I can assure the right hon. Gentleman that there is joy on the Lion Farm estate. But had he asked us, we could have spared the taxpayer the fees that I do not doubt Price Waterhouse will charge.

The Secretary of State may say that the Government do not need to learn from hon. Members in these debates because they will know soon enough from the tenants. I wonder whether the Secretary of State is still nursing certain fantasies about this. It is possible that he still regards it as an open question. No doubt more taxpayers' money will be poured out to persuade tenants in Windmill lane and Whiteheath to change their minds. The spider will not merely be inviting the flies to come into his parlour he will be employing public relations consultants to issue the invitation. The Secretary of State is entitled to put his case. We are not afraid of free debate. That is what today's motion is about. Now that the tenants are to have the right to choose, I for one will abide by their decision.

One consequence of the way in which the Secretary of State has gone about this is that tenants are clear about the real issues. They do not believe that the Secretary of State has said to his officials, "There are problems in Sandwell. The local Members of Parliament have been right all these years and we must do something for the tenants on Lion Farm estate." The tenants know that it was not like that. They know that it is all part of the Prime Minister's irrational, obsessive, spiteful feud against local councils, especially those in areas such as Sandwell where the electors have dared to select councillors who are not of the Prime Minister's choosing. The tenants know that they are merely pawns in that game.

It may be that even now the Secretary of State will not believe what he hears. No doubt all the letters that tenants receive from the Government and all the space taken in local newspapers will be seen by the Secretary of State as an honest attempt by the Government to enlighten the tenants and explain the facts to them, while all the letters that tenants receive from the local council will be part of an unworthy conspiracy to brainwash and mislead the tenants. When the Secretary of State hears that the tenants' associations on Windmill lane and Lion Farm will be campaigning for a vote against his housing action trust, he will doubtless dismiss them as a gang of irresponsible extremists assisting the local council in brainwashing those simple tenants. The Lion Farm tenants association will go down on the Prime Minister's list of subversive organisations—along with the Church of England, the Church of Wales, the Law Society, the British Medical Council and the Committee of University Vice-Chancellors.

Had the Secretary of State listened, we could have explained to him that it was not like that. I have always wanted to see a flourishing tenants association on Lion Farm, because I believe that people should be represented in many different ways according to their various interests and capacities. I believe that that is healthy. The tenants will not always agree with the council and they will not always endorse the views of local Members of Parliament, but the tenants association is part of the total voice of the people. The Government do not want a pluralist society. They do not want healthy debate in the House. They do not want to leave powers with local councils. They want power to reside in quangos appointed by Ministers and, in the last analysis, they want all power to lead back to the Prime Minister's chair. They do not want to listen to anyone who interrupts the universal chorus of acquiescence.

The House will know, however, that hubris is always and inevitably accompanied by nemesis. Tenants have flocked to join the tenants associations and have rallied behind those associations. The voice of the tenants associations is the authentic voice of the people of Windmill lane and Lion Farm. I have always been proud of my constituents, but I am especially proud that the Lion Farm tenants association is to be the agent of nemesis. I like to imagine those tenants on winter evenings in future years telling their grandchildren how they showed—or perhaps how they discovered—that people carry their destiny in their own hands when they decide that the time has come to exercise their voice.

The Government may silence the Opposition in the House today, but they will not silence the people, and the Secretary of State's Bill may occupy a bigger place in the constitutional history books than he ever dreamed. I permit myself to wonder whether in the future when people speak of Hampden and Pym and the seven bishops jury they may add a footnote about the Lion Farm tenants association.

10.55 am

Sir John Stokes (Halesowen and Stourbridge): I have always had great respect for the right hon. and learned Member for Warley, West (Mr. Archer), who has been my neighbour for a considerable number of years. Despite the occasional muddle and wrong-headedness in his speech, I know that he tries most sincerely to represent the best interests of his constituents. I think that I am also a friend, if I may say so, of the exuberant hon. Member for Warley, East (Mr. Faulds)——

Mr. Faulds: The hon. Gentleman may indeed say so.

Sir John Stokes: —with whose views on the middle east, for instance, I wholeheartedly agree.

As I once had the honour to represent part of Sandwell —Oldbury—and still know the people well as they frequently write to me and I often see them, I listened very closely to what was said. I hope that neither the right hon. and learned Gentleman nor his hon. Friend will take it amiss when I say that the great tragedy for Sandwell is that it no longer has a Conservative Member of Parliament and that in recent years it has been represented first by an extreme Left-wing council and now by a Left-wing council. Knowing those people as I do, I honestly feel that they would have been happier and better off in every way under a Conservative council.

I rarely intervene in debates of this kind, and my intervention will be brief, but in all my time in this place I have seldom heard a speech of such bluff and bluster, of such callous inaccuracy and even cruelty, as we heard from the hon. Member for Holborn and St. Pancras (Mr. Dobson) who, alas, is no longer in his place. His attacks on the honour and integrity of people in the other place were entirely uncalled for and would have been actionable had they been made outside the House. I am surprised that the Opposition, who seemed to be having a brief love affair with the people next door, should make comments of that kind.

Secondly the attacks on my right hon. Friend the Secretary of State for the Environment, for whom I have great respect and affection, whom, I have known for many years and whose seat is near mine, were quite uncalled for and utterly disgraceful, as well as bringing in a subject that had nothing to do with the debate. It is amazing that the Opposition, having suffered such a bloody nose in Scotland yesterday, should come here and make such a nuisance of themselves today.

Finally, my constituents next door to Warley—they are very similar people and good Englishmen—cannot understand why I have to waste my time her today, when there are far more important things to do in my constituency. They do not understand why these matters were not dealt with earlier, and they have nothing but contempt for the Opposition.

10.58 am

Mr. Alfred Morris (Manchester, Wythenshawe): This is an outrageous motion that makes it impossible for us to debate a huge number of important amendments to the Housing Bill. It is the bounden duty of the House to scrutinise and, where necessary, to challenge the intentions and actions of executive government; but how can that duty possibly be discharged if the motion is passed?

It will come as no surprise to the House that my particular concern is with amendment No. 133, for which, to be realistic, there will now be scant, if any, time for meaningful debate. Quite deplorably, the motion makes no specific provision for the amendment to be debated. Yet it affects the well-being of some of the most needful people in Britain today. I refer to people with severe disabilities, some of whom, if the amendment is approved —it was in part unsuccessfully resisted by the Government in the House of Lords—will have the right to buy their homes.

The Royal Association for Disability and Rehabilitation—RADAR—readily concedes that the amendment removes a sense of descrimination felt by a number of disabled people, but asserts that a much larger number of people with severe disabilities will suffer, now and in the future, the no less real discrimination of being unable to obtain housing in which they can live their lives independently and with dignity.

In many areas, the shortage of appropriately designed and equipped housing for disabled people now verges on famine. They want the House fully to debate their claims before the Bill becomes law, but to save embarrassment the Secretary of State is trying to gag his critics on both sides of the House. RADAR wants local authorities to buy back properties sold by virtue of amendment No. 133 if and when they are no longer required by their purchasers, and also a duty to replace any properties sold to existing tenants. Both propositions will require the release by the Government of new resources, and it was hoped that the Secretary of State would accept today his responsibility to make adequate funds available if disabled people now waiting for suitable housing accommodation are not to suffer the discrimination that RADAR fears. But what time is there now to debate these propositions with the Minister?

During the 1980s there has been a massive reduction in housebuilding by local authorities, from almost 75,000 dwellings in 1978 to under 15,000 in 1987. Within those figures, the number of units of wheelchair housing fell from 827 in 1978 to 184 in 1987, and those of mobility housing from 7,383 units to 902 over the same 10 years.

Those statistics, about which the Government must now be challenged, are deeply disturbing. Many disabled people regard them as proof of shocking neglect. Their significance should be fully debated by the House. They reflect the extremely low priority given to housing provision for people with disabilities by a Government who now want to dodge debate by means of this disgraceful motion. John Stanford, RADAR's housing policy officer, writing about the Government's departure from the priorities of the 1970s, said:

"Policies were developed then which placed consideration of disabled people in the mainstream of housing provision."

That is certainly not true today, yet the motion, if passed, will save the Minister from having to defend his neglect.

The Department of the Environment estimated in the late 1970s—when I was Minister for the Disabled—that 460,650 mobility dwellings and 61,420 wheelchair dwellings were needed nationally, yet by 1986 the total number of mobility dwellings provided by local authorities and housing associations numbered only a derisory 44,125 and the number of wheelchair dwellings only 8,591. Are those worrying statistics not worthy of detailed debate?

Mr. James Hill (Southampton, Test): I should like to refer to a case in my constituency in Southampton, where two mentally disabled persons, a man and his wife—the

woman is also physically disabled and in a wheelchair—have been placed on the 13th floor of a high-rise block of flats. I have made every attempt to get them moved to ground floor level, with no success. Some local authorities are completely insensitive to the needs of such people, whether mentally or physically disabled.

Mr. Morris: As I have said, the shortage of suitable housing for disabled people is verging on famine, and the inadequate resources available from the Government have made it impossible for local authorities, of all political persuasions, to help those who most need their assistance.

As the Minister knows, we have now had new figures from the Office of Population, Censuses and Surveys on the prevalence of disability which outdate all previous estimates of need. The new survey, published on 28 September, doubles to 6·2 million the figure on which policies for disabled people have been based. Will the Minister comment on the implications of the new survey for housing policy as it affects disabled people? Again, has the Minister seen the study of housing and support services for people with severe disabilities by the Prince of Wales's advisory group on disability? That report, some findings of which are described as "alarming" by the Wales Council for the Disabled, is aptly entitled "Living Options Lottery" and it strongly underlines the grave shortage—even before the stock is reduced—of appropriately designed and equipped housing for disabled people. The report says that the Government must guarantee fair, secure and consistent funding to create conditions in which severely disabled people can take responsibility for their lives and become integrated into the community. That is the answer to the point raised by the hon. Member for Southampton, Test (Mr. Hill).

The Prince of Wales's advisory group shows that, where housing and personal support are available, even the most severely physically dependent person can take responsibility for his or her life and achieve independence and social integration. But what time is available to us to discuss the relevance of that study to the Housing Bill?

The Secretary of State likes to talk in the language of financial constraints, but he must be reminded today that he is involved here in an issue of human rights for people who have the same right as everyone else to be fully a part of society. There is no honour in dodging the debate which we were entitled to expect on that issue. Nor is there any saving in denying disabled people the right to live in appropriately designed and equipped housing. It is self-defeating as well as inhumane to force people into institutions, often at far greater expense to the taxpayer, when, with suitable housing provision and support services, they could live in the community.

What many organisations of and for disabled people want the Minister to accept is that amendment No. 133 has spending implications for the Government which he must now very urgently address. For the House to approve the amendment without any meaningful debate and a definitive statement from the Government on their policies for dealing with its consequences, in terms of new housing provision, would be a gross betrayal of disabled people. I most strongly oppose the motion.

11.8 am

Mr. Timothy Kirkhope (Leeds, North-East): I am pleased to be able to contribute to the debate and support the motion. I was a member of the Standing Committee dealing with the Housing Bill and attended most of the debates in its various stages. It was sad that we had to listen to so much repetition from Opposition Members. It is sad that we have been forced to move this motion to debate the vitally important parts of the Bill that have not been considered because of the delaying tactics of Opposition Members.

I am proud of having been brought up in the north-east and of having served my political apprenticeship there. I was well aware of the political structure of the north-east, which, sadly, has mainly been in the hands of Socialists for too long. After the last war, all parties agreed on the need to construct dwellings for people. The atmosphere at that time in the north-east and elsewhere was non-political; there was a general unity of purpose to provide housing.

Unfortunately, as time progressed, the Labour party politicised local government. It took powers unto itself the like of which I hope we shall never see again. It betrayed the trust of the people of the north-east through its housing powers. The saddest aspect was that criminal action had to be instituted against leaders of the local Labour parties in the north-east in relation to property matters involving the housing of people. That was hardly commendable and must be seen in the light of the expressions of emotion from some Opposition Members about housing and the way in which they think the Government regard it. We have a fine record. The Bill is vital to ensure that that record is enhanced and powers are returned to the people and taken away from those who have betrayed their trust over the years.

I am pleased that we shall be debating the housing action trust proposals. I fail to understand why the Labour party is so opposed to proposals that will be good for tenants and the rundown areas of the inner cities.

Mr. Robert N. Wareing (Liverpool, West Derby): Will the hon. Gentleman give way?

Mr. Kirkhope: I shall not give way. Opposition Members have spoken for many hours over the past few days and months. It is time that we responded to some of their remarks.

There is nothing in the HAT proposals that a decent man who cares about housing could not support in full.

Mr. Battle: Will the hon. Gentleman confirm that when he debated this issue with me in Leeds at a meeting organised by the National Federation of Housing Associations he expressed surprise when he was informed that tenants did not have the right to vote or be consulted before being put into a housing action trust?

Mr. Kirkhope: Tenants will be given those rights by the amendments. The hon. Member for Leeds, West (Mr. Battle) and I debated this matter quite fully at several venues. We discussed the consultation process with tenants and their representatives.

Mr. Robert G. Hughes (Harrow, West): Is not what we are discussing a tribute to the listening qualities of my hon. Friend, who, having heard what tenants were saying, influenced the Government, which led to these proposals.?

Mr. Kirkhope: I should be rather more modest. A number of people influenced that and were part of the discussion process. It is important fully to debate housing action trusts, because consultation is written into every part of our proposals.

[Mr. Kirkhope]

I am worried about the politically active role that has been played by Opposition Members and their local authority friends. They have tried to block consultation and discussion, and to prevent tenants from discovering the full facts. I was astonished that marches supposedly organised by tenants who felt so strongly about the Government's measures had among their numbers many Opposition Members, local Labour councillors, trade unionists and others, many of whom were interested not in housing or improving the lot of tenants, but in causing disturbance and attempting to conceal the Government's view. The people whom we wish to consult are not those people but the true tenants, who have not been allowed any rights by Labour-controlled local government administrations to express those views. Part of the reason why we must step in with HATs is that local authorities have failed abysmally to provide the conditions that people deserve.

I cannot understand why there is so much opposition to HATs, which will give more resources to rundown areas and improve the rights of people who live in them. Why should anybody with the interests of good housing at heart oppose this measure? The truth is that many Socialist-controlled authorities hate the thought of losing any of the power that they hold over people. People are only pawns to Socialists. Opposition Members know that many people on housing estates have been cowed. They have to beg for things and cannot be equal in debate or consultation. Opposition Members regard people who want to be involved in the consultation process as fodder for their directives. They know well that that is what has happened under Labour-controlled local government. They would not dream of giving power to people unless they were forced to do so.

Mr. David Martin (Portsmouth, South): Was not exactly the same mistake made when the Conservative party gave tenants the right to buy their properties? Opposition Members said that the right to buy would not take off and that they would repeal it when they took office. They realised that it was popular and gave people power, and they are making precisely the same mistake with this measure.

Mr. Kirkhope: I am grateful to my hon. Friend for mentioning that subject. It is important to remember the way in which Socialist-controlled local authorities and Opposition Members fought the Government tooth and nail over the right-to-buy provisions. When they failed to persuade through the democratic processes, they did their best to obstruct the implementation of those proposals to prevent people from having the right to buy. It was only when the Government prevailed and insisted on those provisions being instituted that people were able to enjoy them. What has happened as a result? Thousands of people own their own houses, are proud to do so and are looking after them. Those people are now something in their community. They are no longer pawns to be pushed around by local government big-wigs. They are no longer ciphers or appendages to Socialist councillors, to be used at their will. They are individuals with rights and responsibilities and they are proud of it.

That is what the housing action trusts are all about. They will give areas the impetus to improve themselves, give people pride in their communities and make them concerned and interested in their homes and futures. That is why housing action trusts are such an important part of the Housing Bill and why we are determined that people should have those rights given to them as soon as possible.

11.20 am

Mr. Simon Hughes (Southwark and Bermondsey): The importance of the debate is emphasised by the fact that the Leader of the House and the shadow Leader of the House have participated, as have two Privy Councillors and, the hon. Member for Halesowen and Stourbridge (Sir J. Stokes), one of our most senior and long-standing hon. Members. There is great concern on both sides of the House about the procedures that the Government are forcing us to accept.

When the Leader of the House introduced the debate, he suggested that we no longer need to debate the Housing Bill because all the Government amendments introduced in the Lords were passed without opposition. He went on to say that the debates in the other place lasted 64 hours. The House of Lords debated at length many new matters, as the right hon. Member for Manchester, Wythenshawe (Mr. Morris) made clear. There was also a Government defeat in the other place on the voting system for housing action trusts, and that has not yet been debated. Also, Opposition amendments tabled in the other place and accepted by the Government have not yet been debated.

Therefore, there are many matters yet to be debated. I shall not try to list them all, but I shall list some of them to show how authoritarian the Government's motion is.

We have yet to debate the registration of land, the application to Scotland of the new rules for housing association finance, the way in which local authorities will be involved in the payment of moneys to housing associations, and their support in the future.

We have major debates yet to come on housing action trusts, the way in which people in those areas will be able to have a say in their future and how the sick and disabled will be treated in housing action trust designated areas. We have yet to debate the way in which the receipt of money will proceed when housing is sold, as well as the approval criteria for passing on property from housing action trusts and the disposal of property.

Part IV—the most controversial part of the Bill and described by the Government as "tenants' choice"—has yet to be debated. We have yet to debate whether shops transfer if the homes attached to them move out of the public sector. We have yet to debate the position of co-operatives, about which there is a series of amendments, the secrecy of information and the Data Protection Act 1984. We have yet to debate the possibility of sales under the right to buy after transfer out of the public sector, and there is still the major debate on the voting system, which we insist is clearly rigged. There is a problem about the date from which people can be allowed to move into areas on council estates while the tenants' choice procedure is taking place. That could have far-reaching effects on local councils. We have to debate whether areas of the green belt are exempt from housing transfer under tenants' choice.

Lords amendment No. 133, under part V of the Bill, gives the right to buy to tenants of homes converted for the disabled. That has been a matter of controversy on the several occasions on which it has been debated. What

happens if the right to buy is delayed? What happens, in national parks, about houses bought under the right to buy? How much of the Bill should apply to Scotland? How much of the Bill should be extended to have stronger anti-racist measures? How much of the Bill should be developed in order to alter the law on agricultural tenancies? What is the effect of the Bill on the Access to Personal Files Act 1987, introduced by my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood)? All those matters are yet to be debated, but the Government insist that we have only another four hours for this and one more piece of legislation.

The tragedy is that there is plenty of time before the date fixed for the state opening of the new Session. The guillotine is being imposed to suit the Government. Never mind the convenience of tenants or the millions of people throughout the country—the convenience of the Government dictates whether people will have their rights debated. The business on Monday is of little relative importance. There is a consolidation measure and debates on motions on European Community documents. For the rest of the week we are expected to go away from here content, while many of the issues affecting tenants have not been debated.

If the debate on the guillotine is successful, I will hand to the Secretary of State a list of questions. They are questions that the Government have not yet answered and they deal with the most controversial part of the Bill. Before the debate ends, will the Secretary of State put on record that the correct interpretation of the voting system for tenants' choice is that people who fail to vote will be counted as voting to agree with transfer? He has never answered that question directly. Will the Secretary of State, before the end of the debate, acknowledge that it is possible under the Bill for somebody who has died to be counted as voting yes? Will somebody who dies after the "relevant date" and whose death is not known about by the independent teller be counted as having voted in favour? I know the answer, and the Bill makes the answer clear, but the Secretary of State has not yet come clean. Is it not possible for an empty house or flat to be presumed to have voted yes if the independent teller is not informed when somebody moves away after the relevant date?

Will the Secretary of State answer the most fundamental question of all that has been put to Ministers in both Houses over the past 12 months? Why would the Bill not be improved by a requirement that there has to be a majority vote in favour before a transfer of ownership takes place? Why would an ordinary voting system not be fairer than the proposed voting system? Why invest a new constitutional arrrangement which depends—I shall quote a letter sent to me from the Prime Minister in August—on people

"agreeing . . . implicitly through informed acquiescence".?

Why not test whether people acquiesce by the most straightforward and obvious method used in this country every time we have a political election—yes or no? that is the way opinion should be tested. Why do the Government not allow tenants to vote in that way?

Mr. Ridley: The hon. Gentleman may have noticed that that is what we propose in relation to the ballot on HATs. Why has the Social and Liberal Democratic party tabled an amendment opposing that?

Mr. Hughes: The Government have made a concession on HATs, but, as the debate will show, it is an ambiguous concession. It is not clear whether what was successful as an amendment to the Bill in the Lords will be the same in the amendment in this place. That is why we will debate my amendment and the issue in the next debate.

Mr. Ridley: The hon. Gentleman cannot get away with that. He said that the matter should be decided by a majority of those voting. That is not what the Lords amendment said. It said that it should be decided by a majority of those entitled to vote. The hon. Gentleman and his party have tabled an amendment supporting the Lords, and he is now saying that he agrees not with the Lords but with the Government.

Mr. Hughes: That is not correct. The Secretary of State knows that the other place passed an amendment to his legislation to the effect that the change should be approved by the majority of those allowed to vote. We believe that that is the best way of resolving the issue in housing action trust areas. In the Government's own legislation affecting employment law, a simple majority is regarded as being insufficient and probably unrepresentative. As between the option presented by the Government in this House or that which succeeded in another place, the latter is the better of the two.

If the Secretary of State will make an announcement today, as did the noble Lord Caithness on television last Sunday, that the same voting system as he is proposing for housing action trusts will be available to tenants who are at risk of having their properties taken over by private or other landlords, and that he will accept a simple majority of those voting, let alone of those entitled to vote, he will find much less resistance today to the undemocratic proposals that he is making in amendments that we have yet to debate.

Mr. Ridley: It is only two minutes since the House heard the hon. Member for Southwark and Bermondsey (Mr. Hughes) say that in relation to housing action trusts, he is in favour of a system whereby a majority of those voting will decide. He has now twisted that statement and said that he does not agree with something that had his agreement two minutes ago.

Mr. Hughes: The Secretary of State could not have been listening. All my comments so far about the voting system have been in relation to part IV of the Bill, which, as the Secretary of State knows, is about not housing action trusts but what he calls tenants' choice, and what we call landlords' choice, and the way in which tenants will have their homes taken from them. All my comments about the voting system have been aimed at that aspect. Earlier, I briefly alluded to the fact that we have yet to debate housing action trusts, and over which the Government were defeated in another place. That is good enough reason for ensuring that there is time for proper debate of all these vital and important matters affecting millions of people—and I am not exaggerating—before the matter is finally resolved in this House.

Last week, the Government published a draft code of practice governing strike ballots. Why do the Government not apply the same test as they adopt there in relation to the Housing Bill? The code of practice states:

"A simple or even substantial majority might not be actually representative if many of those given entitlement to vote in the ballot did not actually do so."

Why have one test for trade unionists and another for tenants? Also, for a school to opt out of local authority

[Mr. Hughes]

control, there must be a majority of those voting in favour, whereas for an estate to opt out, no one needs to vote in favour of so doing, let alone a majority. Housing estates can be transferred without a single tenant expressing a positive view in favour of that action. Why the double standards? Why the inconsistency? Why the Government's hypocrisy in not applying the same laws to some people in this country as apply elsewhere?

It is symbolic of the Government that, at the end of this Session, they introduce an authoritarian measure to guillotine debate on this enormously important legislation. In 1649, the monarch was here one day and the guillotine appeared the next. It is somewhat ironic that in 1988, the Government have to bring down the guillotine on a democratically elected House of representatives so that royal ceromonial may be allowed to proceed, while tenants are not allowed to have their say about the future of their own homes.

11.36 am

Mr. Nicholas Bennett (Pembroke): The speech by the hon. Member for Holborn and St. Pancras (Mr. Dobson) was probably the most vacuous ever made on a guillotine motion since the procedure's introduction in 1881. Having made his speech, the hon. Gentleman has now disappeared from the Chamber.

Dr. John Cunningham (Copeland): Where is the Leader of the House?

Mr. Bennett: I was interested to learn of the number of properties standing empty in the constituencies of Opposition Members, under Labour-controlled authorities. That must be the measure by which we judge the Opposition's indignation. The hon. Member for Holborn and St. Pancras waxed lyrical about how disgraceful this Bill is, but perhaps he should look in his own backyard. He is an ex-member and leader of Camden council. In 1987, that authority had 1,069 properties standing empty, accounting for 3·1 per cent. of its housing stock. By 1988, it had managed to increase the number to 1,829. It is not only that Camden council is unable to manage its housing stock, for we know also that it has closed its public libraries, that its streets are not swept, that the roads are left unrepaired, and that the authority is collapsing; its Member of Parliament comes to this House to attack a Bill that will increase tenants' opportunities.

The hon. Member for Newham, North-West (Mr. Banks) has not yet spoken in this debate but was prominent in Standing Committee G.

Mr. Tony Banks (Newham, North-West): I have been too busy Whipping, trying to get some order into this wretched debate. No wonder I do not have the time to speak in it.

Mr. Bennett: I can never keep up in knowing whether the hon. Member for Newham, North-West is or is not a Whip.

Mr. Banks: They only call me in for the difficult ones.

Mr. Bennett: I am delighted to learn that the hon. Gentleman is an agency Whip and has taken Tory principles to heart in privatising the Opposition Whips' office.

The figures for Newham show that the number of empty properties there in 1987 numbered 2,777, or 8·6 per cent. of its housing stock—the second worst figure in the United Kingdom. The hon. Member may tell the House, as he did in Committee, that a number of Newham's tower blocks are standing empty. I obtained the figures, and I must be fair to the hon. Gentleman. If one excludes categories A93 and A94 on the HIP, being those properties requiring major repairs or where repairs are in progress, one is still left with 1,444 empty properties. That figure still puts Newham in the top 10, even if one excludes tower blocks. So the hon. Members for Newham, North-West and for Newham, South (Mr. Spearing) had better start talking about their own local authorities before criticising the rest of us on the question of homelessness.

The hon. Member for Brent, South (Mr. Boateng), who was present in the Chamber at the beginning of this debate but is now absent, was prominent in our earlier debates this week. On Wednesday he spoke for 40 minutes—and he was not filibustering. The hon. Member for Brent, South ought to have a word with his own local authority and ask why in 1987 it had 745 empty properties, and why by last year the figure had risen to 1,261. He should ask why his own local authority is collapsing around his ears. Why is not the hon. Gentleman present to tell the House what Brent council intends doing to improve the situation? He has taken to heart the comments of his hon. Friend the Member for Brent, East (Mr. Livingstone), who also put in an appearance before vanishing again, and who believes that Brent council is worse than Pol Pot in its administration. Perhaps we ought to remember that.

The hon. Member for Manchester, Withington (Mr. Bradley), who is an ex-member of Manchester city council, has previously lectured us about the problems of homelessness. Perhaps he will explain why Manchester's local authority has 4,800 empty properties.

Mr. Keith Bradley (Manchester, Withington): Will the hon. Member, to be accurate, tell the House how many of those properties are empty because they are due for demolition as they are unfit for human habitation?

Mr. Bennett: I am flicking through pages of HIP figures so that I may give the House that information. I find that, in categories A93 and A94, Manchester has 1,300 properties under repair out of the 4,800 that are empty. In other categories, Manchester has 1,005 empty properties. In category A96, the number of properties awaiting demolition out of the 4,800 that are standing empty is 30.

Mr. Bradley: If the hon. Gentleman had the up-to-date figures rather than last year's HIP allocation, or if he had taken the trouble to contact Manchester city council to discover how many properties are currently awaiting demolition and then taken those away from the figures to which he has already referred, he would find that the 4,000 he referred to is nearly 1,800. That is the figure the hon. Gentleman should quote to the House.

Mr. Bennett: I have the latest HIP figures and, to be generous, I will double the figure to 60 out of 4,800.

The hon. Member for Liverpool, West Derby (Mr. Wareing) popped in and popped out earlier. What about the Socialist republic, the Militant town of Liverpool. We continually hear about how desperate things are there. Liverpool comes top of the empty properties league. One in 10 of the council properties in Liverpool is empty. In

1987, 6,955 properties were empty. Let us be fair to Liverpool. I wanted to see whether there was an improvement in 1988, so I considered the HIP figures for this year. Liverpool has managed to do very well. It has increased the number of empty properties from 6,955 to 8,000. That is the record of Socialist Liverpool.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) bored for Britain in Standing Committee. He bored us so much that the hon. Member for Makerfield (Mr. McCartney) presented him with a small cup for being the most boring member of the Committee. In Southwark and Bermondsey, just under 2,000 properties were empty in 1987.

Mr. Robert G. Hughes: The hon. Member for Makerfield (Mr. McCartney) presented the cup, but the hon. Member for Southwark and Bermondsey (Mr. Hughes) was elected by democratic ballot as the most boring member of the Committee.

Mr. Bennett: My hon. Friend is right. It was not a question of a simple majority verdict; the verdict was unanimous.

Mr. Simon Hughes: Unlike the hon. Member for Leeds, North-East (Mr. Kirkhope), who did not speak in Committee, I was present at all the debates and participated in all the major votes. I will continue, with my colleagues, to fight the Bill and the guillotine to the end.

Mr. Bennett: The hon. Gentleman has suffered a lapse of memory. I distinctly remember hearing my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope) speak in Committee. I also remember the hon. Member for Southwark and Bermondsey leaving our deliberations on many occasions to speak to his large team of researchers in the Corridor, to appear on television to tell the public why he did not agree with his party's proposals on its constitution, and why he had decided to become a Liberal member of the Social and Liberal Democrats. We all remember the crisis of confidence that the hon. Gentleman suffered in Committee.

There were 1,952 empty properties in Southwark in 1987. In 1988 Southwark and Bermondsey could not even supply the figure for the HIP.

Mr. Gerald Bowden (Dulwich): Does my hon. Friend recognise that not only is there a disgracefully high number of void properties in the council stock in Southwark, but that its rent debt is now running at more than £30 million? Is that not disgraceful? The *South London Press* today discloses that one tenant is in arrears for £8,000. Does not that suggest that there is something rotten in the state of Southwark?

Mr. Bennett: My hon. Friend anticipates me because I want to refer to rent arrears in a moment.

Mr. Bowis: Not only are those hideous statistics true, but 1,672 properties in Southwark have squatters. Are not the figures indictments of the municipal failures populating the Opposition Benches?

Mr. Bennett: I want to be fair to the hon. Member for Southwark and Bermondsey. Southwark and Bermondsey is not a Liberal-controlled council. The hon. Gentleman lives under a Labour-controlled council. However, let us consider Tower Hamlets, which is across the river from Southwark and Bermondsey. Tower Hamlets has a Liberal-controlled council. It had 2,825 empty properties last year; and of course it has not been able to provide figures for this year.

The hon. Member for Hammersmith (Mr. Soley) lectured us from a position of moral superiority in Committee and in this place. He should have a word with his authority about the increases in empty properties owned by Hammersmith and Fulham council. It has 776 empty properties.

Finally, I want to consider that great deprived London borough Hackney. How many times have we heard from Labour politicians that it is the most deprived borough in Britain? Why has it got 3,113 empty properties? Why can it not tell us this year's figures? It does not have the management system to produce the figures.

Mr. Harry Cohen (Leyton): Will the hon. Gentleman give way?

Mr. Bennett: No. The hon. Gentleman has only just entered the Chamber.

The Bill is vital for council tenants so that they may have the right to choose landlords. It is vital because it will give them freedom, which they have not enjoyed over the past century, to decide whether they want to continue to put up with the present management and repair system operated by so many local authorities.

I speak from the experience of eight years as an opposition leader on a local council. I witnessed the complaints about the way in which the authority ran its housing repairs; about the length of time that tenants waited for repairs to be carried out; about the condition of estates and the fact that the lights did not work; about the fact that roads and windows were broken and the walls covered in grafitti. I was concerned for the tenants, but that concern was not shared by members of the majority party.

The sheer size of the municipal empires is a problem. Manchester has nearly 90,000 properties. How on earth can it run them properly? How on earth can it manage a property portfolio of that size? That is why tenants are so dissatisfied. That is why the Bill is so important: it will help tenants to choose.

My hon. Friend the Member for Dulwich (Mr. Bowden) referred to rent arrears. Rent arrears are another example of what is happening in these municipal empires. In Camden, the borough covered by the hon. Member for Holborn and St. Pancras, rent arrears have increased from £4·6 million to £5·7 million, and 56·4 per cent. of tenants are in arrears with their rents. On the HIP submission, rent arrears in Brent have risen from £6 million to £11 million and 70 per cent. of tenants are in arrears with 28 per cent. —more than one in four—owing more than £500. No wonder the borough must send letters to Nigeria to collect rent and that it is not sure how much is owed. That is the problem with the municipalisation practised by the Labour party.

Rent arrears in Manchester have risen from £5·2 million to £8·8 million. In Liverpool the rent arrears figure is £9·5 million, and it could not provide the figures for this year. In 1987 the rent arrears figure for Southwark was £14·7 million and it is £30 million this year. Rent arrears in Hammersmith have risen from £1·9 million to £2·1 million. In Tower Hamlets they have risen from £2·2 million to £2·8 million, and in Hackney from £6·6 million in 1987 to £10·5 million this year.

Mr. Dennis Turner (Wolverhampton, South-East): Is it any wonder that the hon. Gentleman can give us those statistics about rent arrears when we know that millions of people are suffering poverty as a result of Government policies? Is it any wonder that he can quote them when 16 per cent. of people who received housing benefit have had that benefit cut? If the hon. Gentleman answers those questions, he will see that rent arrears have risen because of growing poverty brought about by the Conservative party.

Mr. Bennett: The hon. Member has not been listening. First, all the figures that I have given for rent arrears increases relate to a period before the increases in housing benefit in April.

Secondly, the hon. Gentleman talks about increasing poverty in this country. Why in that case is a man on three quarters of national earnings now 24 per cent. better off in real terms under the present Government than he was between 1974 and 1979? If the hon. Gentleman wants to talk about poverty, let him look at the figures for real earnings between 1974 and 1979. People in this country have never been better off than they are now.

Thirdly, as for rent arrears, perhaps the hon. Gentleman should have a word with authorities such as one in my area which, 12 weeks after the new housing benefit regulations came in, still had not informed its tenants what their rents were. No wonder most tenants were in arrears. That is an example of the incompetence of municipal housing managers throughout the country.

I have spoken for long enough. That will prompt a cheer from the Opposition. Let me conclude by referring back to what Opposition Members said about the Housing Act 1980 and the Education Reform Act 1988—— *[Interruption.]*

Mr. Irvine Patnick (Sheffield, Hallam): On a point of order, Madam Deputy Speaker. Is it right for the hon. Member for Sheffield, Hillsborough (Mr. Flannery) to call my colleague a liar from a seated position?

Madam Deputy Speaker (Miss Betty Boothroyd): It is not in order; but I certainly heard nothing of the kind.

Mr. Bennett: Opposition Members——

Mr. Martin Flannery (Sheffield, Hillsborough): On a point of order, Madam Deputy Speaker. The hon. Member for Sheffield, Hallam (Mr. Patnick) loves to attack me. He is the only Tory Member in south Yorkshire, where there are 17 Labour Members. I said that the hon. Gentleman should sit down because he had distorted the truth for long enough. I then added, "I am not, of course, allowed to call him a liar."

Mr. Bennett: The hon. Member for Sheffield, Hillsborough (Mr. Flannery) has not given any examples. He degenerates his entire argument with vague abuse, because he has not the facts at his disposal.

Let us look at the position of Sheffield. My hon. Friend the Member for Sheffield, Hallam (Mr. Patnick) has just produced for me a leaflet which I gather is being circulated. Sheffield! That Socialist authority, I gather, has already cut £20 million from its 1988-89 budget, and proposes to cut a further £40 million for the following two years. It has cut 1,000 jobs from its payroll, and has already sold or shut six old people's homes. Bradford is falling behind Sheffield. Sheffield is leading the way, and has already implemented huge rent rises.

Mr. Flannery *rose*——

Mr. Bennett: If the hon. Gentleman would like to tell me which of those facts is wrong, I will give way.

Mr. Flannery: Has the hon. Gentleman mentioned in this disquisition which shows such a lack of knowledge that, owing to shortage of staff, the DHSS payments forced on people by the present Government have come through much later than they should have on the council estates? That is one of the Government's main responsibilities. Will the hon. Gentleman stop distorting the truth for once?

Mr. Bennett: This must be the first time in the history of the city of Sheffield that anyone has said that the city council is short of staff. Sheffield city council is the largest employer in Sheffield. If the hon. Member for Hillsborough would like to have a word with his city council and tell it to stop employing race monitoring groups, police committees and women's committees and get on with doing the job that a local council ought to do, perhaps the tenants would get their rent details on time, and also get their repairs done on time.

Mr. Flannery: Will the hon. Gentleman explain why, despite what he has said, Sheffield council gets a bigger Labour vote every year while the Tory vote goes down every year?

Mr. Bennett: The hon. Gentleman ought to look at the percentage of voters in Sheffield who actually pay rates. We are introducing the community charge so that everyone in Sheffield who has a vote in the local elections knows the cost of Sheffield city council. At present only a third of voters contribute.

Mr. Patnick: Is my hon. Friend aware that Sheffield city council now has approximately 35,000 full-time employees compared with 30,000 several years ago? Will he compare Bradford's cuts with those that Sheffield has made? Will he also tell us how many old folk's homes Sheffield has closed compared with Bradford?

Mr. Bennett: My hon. Friend tempts me greatly to go down a road that I do not wish to follow. However, when one sees that Bradford is proposing cuts amounting to £6 million compared with the £20 million cuts that have already been made in Sheffield one realises that they are in a different league. Labour-dominated Sheffield is leading the way by showing us what good local government ought to be in the future, even though it has not practised it for the past 20 years.

Mr. Simon Hughes: Will the hon. Gentleman give way?

Mr. Bennett: No. I do not intend to give way again.

In the 1980 debates on the Housing Bill, Opposition Members told us that tenants would not want to buy their properties and, 1 million tenants later, some of them still believe that. We were told in the debates on the Education Reform Bill in 1987 that parents would not want to opt out. Within weeks of the Bill becoming law, school after school held elections and parents voted by more than 90 per cent. to opt out of local authority control.

The Bill will give council tenants the right to decide whether they wish to opt out of local authority control. It will also end the more than 60 years of rent control that has stultified the housing market and resulted in the lowest percentage of rented accommodation anywhere in western Europe. It has made it difficult for young people to find rented accommodation when they move because they do not qualify for municipal council housing. We shall do away with restrictions that have made it impossible for anybody who owns an empty property to rent it and get a fair return on it. The Bill is vital. The guillotine motion must be passed without further ado.

11.57 am

Dr. John Reid (Motherwell, North): I am grateful for the opportunity to speak in the debate. I realise the passions that have been aroused and the interest that has been shown by my hon. Friends in the Housing Bill. I regret, therefore, that I must move away from that measure and speak about the School Boards (Scotland) Bill, because I wish to oppose the motion.

It is a disgrace that a guillotine motion has been moved on both the Housing Bill and the School Boards (Scotland) Bill. The fact that Conservative Members have decided to filibuster on the guillotine motion shows the lack of confidence that they have in their own arguments. I am grateful to you, Madam Deputy Speaker, for this opportunity to oppose the guillotine motion on the School Boards (Scotland) Bill. I do so for three reasons.

My first reason is out of courtesy to the Minister of State, who earlier this morning made the arduous trip down here after the even more ardous task last night of explaining why just over 7 per cent. was a marvellous triumph for the Conservatives in Govan and why just under 40 per cent. was a desperate failure for Labour.

Secondly, despite the mass protests and the massed armies of the SNP last night, I regret that unfortunately not one SNP Member has turned up in the Chamber, even for a minute, to oppose the guillotine motion on the School Boards (Scotland) Bill. I should have assumed that that was the result of the celebrations, were it not for the fact that out of the six hours and 22 minutes that have been spent on the Housing Bill, SNP Members could make only a two-minute contribution—to testify to the opposition to the Bill in Committee by the Labour party.

Thirdly, I oppose the motion because the only silver lining to the Govan by-election—I do not claim that it is a big one—is that it has provided the context for this morning's debate on a guillotine motion on yet another piece of un-Scottish unpopular legislation, which once again will be passed without full debate, although it is opposed by almost every section of Scottish society.

It is patently obvious that I do not agree with the result of the Govan by-election. We all have an interest in understanding the frustration that was registered there. The result of the by-election can be understood in the context of the School Boards (Scotland) Bill being guillotined and pressed on an unwilling Scottish population.

Mr. Nicholas Bennett: Will the hon. Gentleman give way?

Dr. Reid: I want to be brief and, with respect to the hon. Gentleman, he spoke for almost half an hour.

Almost every opinion poll in Scotland shows that the Scottish people oppose the Bill.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Forsyth): I have followed the hon. Gentleman's argument most carefully. He mentioned the Conservative party achieving 7 per cent. of the vote in Govan. That is also the figure which the exit poll showed is the satisfaction rating with Labour Members of Parliament in Scotland. No Labour Front-Bench spokesman on Scottish matters is present. I wonder whether the hon. Gentleman's complaint about the guillotine motion arises out of the fact that all the proposed amendments are positive ones which were put forward by the Opposition in another place and arise out of ideas advanced by the Convention of Scottish Local Authorities, which, of course, is dominated by the Labour party. The remainder of the Bill has passed through the House rather ahead of timetable, and the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) has taken a positive approach to it and decided to opt out of being on the Opposition Front Bench this morning.

Dr. Reid: I shall come to the Minister's reception of advice in due course. I know that he would not like to mislead the House about last night's opinion poll. Some 45 per cent. of respondents said that Labour Members of Parliament are doing a fairly good or very good job. When it came to asking how well Conservative Members in Scotland are doing, the pollsters did not even bother to ask that question, but merely looked at the by-election result.

Every opinion poll shows that Scottish people oppose the principle of the School Boards (Scotland) Bill. Every eminent educationist and most uneminent educationists oppose it. In spite of the cloak of secrecy in the Scottish Office, it is rumoured that every eminent Civil Service education adviser opposes the principle. Only the Minister can confirm or deny that. He will be aware of the dangers of playing the Scottish card.

The Anglicisation of the Scottish education system has been a major issue and has attracted much attention in Scotland. If the Minister is worried about the lapse into quasi-nationalism last night, he would do well to recognise that a Government who cannot show any magnanimity in victory will breed bitterness and defiance among those whom they think they have defeated.

The strength of many people in Scotland who want the union to end derives from the Government's attitude. That attitude was summed up by the hon. Member for Halesowen and Stourbridge (Sir J. Stokes), when he said that Oppositions are a nuisance. We understand that Oppositions are regarded as a nuisance, but they are also regarded as somehow subversive to the Government's control. The biggest opposition, which has been regarded as the biggest nuisance and treated with the greatest contempt during the past nine years, consists of the vast majority of the people of Scotland, who share neither the culture not the educational priorities of the Minister and the Government.

I have no wish to avoid the conclusions that must be drawn from the result in Govan—for my party or for any other. Two things were shown last night. Now that the hon. Member for Tayside, North (Mr. Walker) has returned, I am reminded that three things were shown last night. The first is that the protest vote was powerful enough to shove the hon. Gentleman back into a kilt, for

[Dr. Reid]

reasons that are unknown to most of us. Secondly, it showed the frustration of many people in the Scottish electorate at the inability of the Opposition to deliver back a Labour Government in the United Kingdom.

Mr. Forsyth *rose*——

Madam Deputy Speaker: Order. A number of hon. Members still wish to speak on the allocation of time motion. I ask the hon. Gentleman to refer to that motion and not to what happened last night elsewhere.

Dr. Reid: It relates directly to the guillotine on this important legislation. The third reason was precisely what happened last night. It would be an irony if the Minister and his colleagues, who seek to impose a uniform United Kingdom, were in the long run to be the biggest architects of the division of that United Kingdom. But he is heading in that direction.

Mr. Forsyth *rose*——

Madam Deputy Speaker: Order. Is the Minister intervening?

Mr. Forsyth: The hon. Gentleman is giving way—or has he sat down?

Dr. Reid: I have finished my speech.

12.5 pm

Mr. James Hill (Southampton, Test): I shall speak only for a very short time. Since 9.30 am, our debate has revolved around London and two other great cities in this country. The debate has concerned the mismanagement of local authorities. All the facts and figures about the number of properties kept vacant, awaiting repair, or being used as squats, can lead to only one conclusion—that management is inadequate.

I was involved in our discussions on the Housing Bill 1972. The current measure would have been an ideal Bill for 1972. It is almost impossible to repair some of the damage that Socialist authorities have done over many years. They built high rises and kept people thoroughly under their thumb by making all sorts of housing restrictions, telling people to go away and have more children so that they might qualify for a flat. They told people, "We are in charge of the management of the council properties. We will house you but do not expect to be able to come back for a transfer. You must try and arrange that between yourselves and we shall probably turn you down anyway." I get the impression from my parliamentary advice service that housing departments do not treat people as human beings, but as a nuisance. The staff in the reception areas are not interested in the manifold problems and people cannot get through to any of the officers to complain to the higher spectrum of the department.

People are so dissatisfied that I do not share the fears of the Opposition because I believe that a great number of people will vote to leave council properties. They will want housing associations to take over. In my area, the Stonham housing association and the Swaything housing association have reputations to which the local authority could never aspire. Housing associations have been encouraged to set up blocks of flats or groups of houses —particularly the British Legion, Anchor, Collingswood and Silken housing associations. We have tried to do exactly what the Secretary of State is doing today—to encourage more people to take over the individual managerial problems of providing private rented homes. That will be one of the great successes of the Bill.

I was not a member of the Standing Committee, so I do not know whether the Housing Corporation will receive enough funds for what I believe will be an avalanche of applications from housing associations. We keep hearing about Rachman—I do not know whether he is a housing association. We keep hearing about the bad old days when landlords went through the streets with Alsatian dogs. They are some of the silly red herrings that are part of Socialist folklore. Some Labour Members went through the first Socialist indoctrination on housing, and the catch phrase, "Every landlord is Rachman and every local authority is best at managing housing", came into existence. Those myths have lived on for far too long and must be laid to rest.

Good management is essential in running an estate of any size. If there is good management, a good work force to carry out repairs and sympathetic people to listen to complaints, there will be contented tenants. I throw out a challenge to Opposition Members. If they can put their hands on their hearts and say that their local housing authorities have all those attributes, they must be living in a wonderland that I have never experienced. My right hon. Friend the Secretary of State will help to resolve the problem. I want to see as many separate landlords as possible, preferably housing associations, in Southampton. If we could have 50 more housing associations and other landlords to take over its 23,000 council houses, housing in Southampton would have a rosy future.

12.12 pm

Mr. Andrew Faulds (Warley, East): I shall not waste too many words on what has been said by Conservative Members this morning. They have treated the whole thing as a bit of a Friday lark. Homelessness—the appalling problems of people without anywhere to live—is a joke to most of these juveniles. It is a disgrace and an absolute shame that these important matters are treated with so little regard by Conservative Members. Their only excuse can be that they do not know anything about council tenants and that they are totally politically inexperienced —*[Interruption.]* That little lad waving his Order Paper —the hon. Member for Pembroke (Mr. Bennett)—made what I thought was the most juvenile contribution that I have heard in a serious debate. He should be ashamed of himself.

We have not had enough time to discuss this measure for a lot of reasons. At the inception of this legislation, the Secretary of State had no intention that these matters should be properly examined. The other night, when we could have sat through until half the next day, at 3 o'clock in the morning the Secretary of State was so exhausted —indeed, so emaciated—that he could not last the night. He slipped off into the dark passages and the business of the House was abandoned.

Then what did the Government do? They did not provide us with time to debate this matter for three days next week, when we could easily do so. The time is there. What did they do? They introduced the Friday filibuster,

and all the local lads who can slip off to their London flats later this afternoon were asked, "Do hang around on Friday morning and try to abort the business", which is exactly what they have done. The people of this country are not so easily fooled. One or two communities around Britain may have realised what this is all about.

Mr. Robert Adley (Christchurch): Will the hon. Gentleman allow me?

Mr. Faulds: No, I will not allow the hon. Gentleman to speak. We have had enough of the filibuster this morning and I would like eventually to get to the parts of the Bill that we want to discuss.

The obfuscation by the Secretary of State was intentional. This little document "Estate Action Third Annual Report", was, I suppose, slipped out by accident about 20 June. I read the final page of it on 23 June, and wrote to my town clerk, wondering whether he knew about these intentions about housing action trusts affecting an estate in my constituency. He had never heard of it. There had been no discussion and there had been no consultation. We were not officially informed about the Secretary of State's intentions until a cyclostyled letter of 11 July which, after it had been announced, and to which reference has been made by my right hon. and learned Friend, the Member for Warley, West (Mr. Archer) and which I think is only part of the pattern of trying to keep quiet about these matters so that the public will not tumble what has happened.

I wanted, had there been time—and there still is time if the Government are prepared to provide it next week—to discuss amendments Nos. 72 and 73 because they gravely affect my constituency. I have many hundreds of council tenants on whom one of these housing action trusts, the Government hope, will be imposed. Now what does that mean for them? Windmill lane—*[Interruption.]* Perhaps if Conservative Members would have the courtesy to listen, they might learn a little about the actualities of life for council house tenants.

The area in my constituency is called Windmill lane. Over the past three or four years, ironically, the local authority has spent a great deal of money on improving the estate. Is this part of a subtle ploy so that the local authority will do its duty and fulfil its responsibilities to those tenants, and the Secretary of State, when the housing action trust is imposed, will claim the credit? I wonder how many other of the housing action trusts intended——

Mr. Simon Hughes: All of them.

Mr. Faulds: All of them. All of them apparently fall into this category. The local authority will largely have done the work, even on its limited funding, and the Secretary of State will say, "This great new Conservative project; look what we have done to these council estates." Well, I do not think that they are going to be fooled.

I have never known an issue in my many years as the Member for Smethwick which has aroused such vehement opposition from council tenants, and it has not been organised with a propaganda campaign. They have not suffered yet—certainly not from the Opposition—the influx of propaganda leaflets that the Secretary of State is now going to shower on them to try to convince them what an excellent project this is. It was a natural reaction when they heard what was going to happen. I will tell the House why.

These tenants—these council tenants—are not fools. My right hon. Friend, Madam Deputy Speaker—the right hon. Member for West Bromwich, West (Miss Boothroyd)—and I know probably more about council tenants than most Conservative Members. We know them as friends. We go there nearly every weekend and meet these people. They are highly intelligent, some of them. They know what the Government intended. They are not as gullible as "the quality" on Government Benches think that they are. My God, to use the word "quality" about this bunch! Their traditional predecessors, the decent responsible one-nation Tories, must be whirling in their graves looking at that lot and what they are doing to the people of this country.

Mr. Adley *rose*——

Mr. Faulds: I will not give way. The hon. Gentleman came in five and a half minutes ago, and he is not going to interrupt my speech. *[Interruption.]* He may have been asked to prolong the matter with the filibuster; he is not going to do it to me.

Those people realise the implications of this legislation. They know what it means for them. They are going to lose their security of tenure. Their rents will inevitably go up. The property mafia will be rubbing their hands at the prospects of the profits. They are going to make enormous killings out of this exercise. Rachmanism—a word that was introduced into the English language in the 1960s—is a malevolent, stinking name. I had better warn Conservative Members, there is going to be an addition to that collection of ghastly names. There are going to be —[HON. MEMBERS: "Who?"] We do not know them yet, but they will crop up—names like Rachman, who will make killings out of the suffering and the homelessness of thousands of our constituents, and they will enter the English language by the grace of the Secretary of State, because he will be the one who has given these lads the opportunity to use their revolting greed at the cost of the suffering of the ordinary people of Britain.

If we had not put up an opposition to this so-called ballot, the people of those housing estates would have had to suffer the rigging that the Secretary of State intended in the ballot. He can grin that silly little grin, but that is what the legislation stated and he knows it—and so do all his advisers around him and those on his Benches. Had it not been for the opposition that we put up, that ballot rigging would not have been changed.

However, we have had the reassurance of a letter from the Under-Secretary of State, the hon. Member for Rossendale and Darwen (Mr. Trippier) informing those of us whose constituencies are affected by housing action trusts—it was written on 7 November, which is not a very long time ago—that Lord Caithness in the other place, with his vast experience of the way in which council house tenants live—he knows so many of them from going around his constituency at elections and he knows the sufferings of council house tenants—at last, because it was a risky political exercise to introduce a rigged ballot in this particular parliamentary democracy, has been prevailed upon to write to those of us whom it is intended should have housing action trusts forced on our constituencies. I shall read one sentence of his letter of 7 November.

> "We propose that if a majority of tenants who vote in the ballot are against his proposals, the Secretary of State should not lay a designation order before Parliament."

Knowing the reliability and responsibility of this particular Secretary of State, I would have been—no, let

[Mr. Faulds]

me be precise—I should have been much happier if, instead of saying that the Secretary of State "should not lay" the letter had said that the Secretary of State "will not lay". Perhaps that matter will be considered when the Secretary of State replies.

It is quite clear that the genuine opposition of hundreds of thousands of council house tenants to this rotten project is immense. I can assure the Secretary of State that if a proper democratic process is pursued in these matters—and the cheering thing is that the Lord Caithness has come round to accept the democratic principle in Great Britain—if those ballots are held I can assure the Secretary of State that he is wasting his time, the Government's time and the time of the House in trying to impose any housing action trusts on the people of my council estates and on those of Madam Deputy Speaker—no, I must not introduce my hon. Friend into this debate—and on all of us in whose constituencies there was and is an intention to introduce housing action trusts. I can assure the Government that the people concerned will not have it. There will not be a single housing action trust introduced into any of these constituencies.

It is shameful that the Secretary of State, absolutely in keeping with his typical conduct, should try to introduce a measure like this and then do everything that he could before the presentation of the Bill, after the presentation of the Bill and even at this late stage to avoid discussion of these essential issues. Well, he has not managed to do it and the people will not have his silly, limited, anti-democratic ideas imposed upon them.

12.22 pm

Dr. John Cunningham (Copeland): The Bill has been before the House for one year. It has been a year of Government incompetence, prevarication and delay since November 1987 when the Government published the Bill, immediately withdrew it, pulped it because of its errors and then had to reintroduce it to the House. Worse Government delays followed. After a searching Committee examination by my hon. Friends, led by my hon. Friend the Member for Hammersmith (Mr. Soley), when at no time did the Government propose a timetable, they then took the Bill away, kept it hidden from view of the House for three months, from March to June of this year, and then made huge amendments on Report.

At no time have Opposition Members artificially delayed the Bill, although we are implacably opposed to its deeply offensive and largely irrelevant proposals. In the House of Lords 270 further amendments covering 62 pages, were added, again largely by Ministers. The responsibility for the delays to this Bill lie directly with the Secretary of State for the Environment, not with this House, and certainly not with the Opposition. At no time in our interrogation of Ministers have they felt justified until now in asking the House to impose a guillotine.

Ministers admitted weaknesses, errors and confusions by the score in their own legislation. That is certainly the track record of the hon. Member for Bristol, West (Mr. Waldegrave). Deeply unhappy about the Bill that he was asked to take through Committee, he promised change after change after change. He was subsequently pushed out of the way by the Secretary of State in a fit of pique. The hon. Member for Broxbourne (Mrs. Roe) was then rolled into view to rescue the Secretary of State and his proposals. She has been contemptuously and abruptly dismissed as well. Still the Secretary of State staggers on with a fanaticism that belies reason and reality in housing policy. The latest hapless victim of the right hon. Gentleman's obsessions, the hon. Member for Rossendale and Darwen (Mr. Trippier), seems as confused about the Bill's intentions as were his predecessors. That was obvious from his attempt to reply to questions from my hon. Friend the Member for Hammersmith on Wednesday.

Faced with this chronology of political confusion and administrative bungling, how dare any Conservative Member say that the Opposition are responsible for the time taken to get the Bill through the House? It is the responsibility of Ministers. Even on Wednesday, it was the Government who ran away from the debate. No Opposition Member wanted to pack up the discussions on proposals that included ballot-rigging and distressing and arbitrary powers over people's homes and neighbourhoods. The Government want to rush the Bill back to the other place without providing an opportunity to debate many amendments on matters of substance. We say no to that, and our opposition to it is undiminished.

We have heard a great deal of ranting and raging from Conservative Members about empty properties. Why did we not hear a word about the 5·9 per cent. of Government properties standing empty—the highest percentage of all? Why did we not hear about the one in five Metropolitan police houses that are standing empty? Why was there no mention of the 70 per cent. cut in real terms in housing investment programmes? We heard a great deal from Conservative Members about some local authorities. Why did we not hear that this Government, with hon. Members' support, have cut Camden's housing investment by more than £600 million, Brent's by £280 million, Manchester's by more than £500 million and Liverpool's by more than £260 million?

We heard, with contempt, Conservative Members suggest that people with rent arrears have no problems. Why did we not hear about the eight cuts in housing benefit in eight years? Why did we not hear about that elderly lady—the 65-year-old diabetic—who lost £10·80 a week in April because of the latest cut in housing benfit? That reduced her income, after rent, to £35 a week. Does none of that make any difference to people's ability to meet their rent requirements? Does no Conservative Member ever think about that when he discusses housing problems?

The Bill does not begin to address the real problems in housing policy in Britain. It offers little comfort to those in overcrowded and unfit houses and those on ever-lengthening waiting lists. It offers no hope to the homeless. My right hon. and hon. Friends were right to say that the Bill heralds the return of Rachmanism, the dread of harassment, rent extortion and, probably, criminal activities in the housing market.

As to the conduct of the Bill's passage through the House, as an example of public administration it stinks. The Secretary of State has throughout displayed an arrogant contempt for the parliamentary process. Even now, with only a few hours of parliamentary time left, he and the Cabinet assume that the other place will accept this disgraceful legislation without any further change or delay. I hope that it will not.

The Housing Bill is offensive in its provisions. It has been brought to within a single working day of defeat in this House, and we certainly make no apology for that.

12.29 pm

The Secretary of State for the Environment (Mr. Nicholas Ridley): When it comes to the right to reply to hon. Members' questions, the hon. Member for Copeland (Dr. Cunningham) leaves me too little time. The Bill has had 250 hours spent on it so far—more than 123 hours in Commons Committee, more than 43 hours on Commons Report, more than 33 hours in Lords Committee and more than 21 hours on Lords Report before it has even reached Commons consideration. There have been hours of painstaking debate on all the issues. My hon. Friend the Member for Bristol, West (Mr. Waldegrave), then Minister for Housing and Planning, agreed to make many amendments, but, having been put down, they are a source not of thanks but of complaint from the Opposition, as my hon. Friend the Member for Harrow, West (Mr. Hughes) so rightly pointed out.

Hitherto, no timetable has been applied to the Bill. Twice the Opposition have tried to abuse that freedom of debate—first on Commons Report and then again last Wednesday. We know the signs well. The hon. Member for Hammersmith (Mr. Soley) delivers his sermon at the start of each debate. Then the heavy mob—the hon Members for Bradford, South (Mr. Cryer), for Bolsover (Mr. Skinner) and for Burnley (Mr. Pike)—assemble behind him. The hon. Member for Walsall, North (Mr. Winnick) comes in like a cuckoo-clock every quarter hour, saying "Rachman" on one and "Hoogstraten" on the other—and he did it again this morning. There then comes a further reading of the speech from the hon. Member for Makerfield (Mr. McCartney). Meanwhile the hon. Member for Newham, North-West (Mr. Banks)—the choreographer of this ballet with which we have all become so bored—flits from Front Bench to Back Bench and then again from back to front and we hear rumours of plans to bus in new recruits at 6 o'clock in the morning. The act is repeated at two-hour intervals throughout the night, and I pay tribute to the hon. Member for Hammersmith who, innocent and ignorant of all this—the Opposition Chief Whip is in bed, of course—delivers his sermon at two-hourly intervals without any change or any relevance to the debate.

The hon. Member for Holborn and St. Pancras (Mr. Dobson) has referred to this as a total mess, and indeed it is—a total mess on the part of the hon. Gentleman, the Opposition Chief Whip and all those who have tried to disrupt the proper democratic processes. Throughout the proceedings on the Bill, the Labour party has revealed its passionate defence of the council house system and all that is rotten and wrong in that system. Labour Members ignore all the defects. As my hon. Friend the Member for Pembroke (Mr. Bennett) correctly pointed out, they ignore the mounting rent arrears and the growing number of vacancies leading to increased problems of homelessness, especially in a capital dominated by big Labour boroughs. For Labour Members, the only solution to their own inefficiency is to build more council houses. They ignore the importance of the tenant, the importance of choice and the importance of having some competition among landlords to woo the favours of tenants. As my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope) said in his excellent speech, what we are seeking to do in the Bill is to transfer power in housing from inefficient Labour councils to the people—to give people more choice and the opportunity to live a decent life which has been denied by the Labour party for so many years in the boroughs that it runs.

The need for the Bill is urgent. It has been held up by the Labour party for doctrinaire reasons. I invite my right hon. Friend the Leader of the House to bring these undignified proceedings—this total mess that the Opposition have tried to create—to an end so that the benefits which will flow from the Bill may start from today.

Question put:

The House proceeded to a Division.

Mr. Harry Cohen (Leyton) *(seated and covered)*: On a point of order, Mr. Deputy Speaker. I am breathless, having run across from St. Stephen's House where we cannot hear the Division bell—my secretary's office is in St. Stephen's House—and, therefore, I have been denied the opportunity to vote on the guillotine motion. Many of my constituents are affected by the Bill and I at least want an opportunity to vote. It is scandalous that they have done repair work in St. Stephen's House, but——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I understand the hon. Gentleman's point. Because of the obvious urgency, I should be grateful if the Serjeant at Arms would arrange an immediate inquiry.

Mr. Cohen *(seated and covered)*: Further to that point of order, Mr. Deputy Speaker. Will you open the doors briefly to allow me to cast my vote?

Mr. Deputy Speaker: As soon as I obtain the information, I shall advise the House.

The House having divided: Ayes 303, Noes 176.

Division No. 490] **[12.34 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brittan, Rt Hon Leon
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*

Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Alan Howarth and
Mr. John M. Taylor.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Paddy
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter

Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McKay, Allen *(Barnsley West)*
McKelvey, William
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
O'Brien, William
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Wall, Pat
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Frank Cook.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Bills:

Lords Amendments

1.—(1) The proceedings on consideration of Lords Amendments to the School Boards (Scotland) Bill shall, if not previously brought to a conclusion, be brought to a conclusion four hours after the commencement of the proceedings on the Motion for this Order.

(2) The proceedings on further consideration of Lords Amendments to the Housing Bill shall, if not previously brought to a conclusion, be brought to a conclusion six hours after the commencement of proceedings on the Motion for this Order.

(3) Paragraph (1) of Standing Order No. 14 (Exempted business), as applied by paragraph (2) of Standing Order No. 11 (Friday sittings), shall apply to the proceedings on each of the Bills.

(4) No dilatory Motion with respect to, or in the course of, the proceedings on either of the Bills shall be made except by a member of the Government, and the Question on any such Motion shall be put forthwith.

(5) If the proceedings on either of the Bills are interrupted under paragraph (4) of Standing Order No. 11 (Friday sittings) a period equal to the duration of the business taken under that paragraph shall be added to the period at the end of which the proceedings on each of the Bills are to be brought to a conclusion.

(6) If the House is adjourned or the sitting is suspended before the expiry of the period at the end of which the proceedings on either of the Bills are to be brought to a conclusion, no notice shall be required of a Motion made at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

2.—(1) For the purpose of bringing any proceedings on either of the Bills to a conclusion in accordance with paragraph 1 above—

(a) Mr. Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided and, if that Question is for the amendment of the Lords Amendment, shall then put forthwith the Question on any further Amendment to the said Lords Amendment moved by a Minister of the Crown and on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in the said Lords Amendment, or, as the case may be, in the said Lords Amendment, as amended;

(b) Mr. Speaker shall then designate such of the remaining Lords Amendments to the Bill in question as appear to him to involve questions of Privilege and shall—

(i) put forthwith the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment to that Bill and then put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in their Amendment, or, as the case may be, in their Amendment, as amended;

(ii) put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth disagree with the Lords in a Lords Amendment to that Bill;

(iii) put forthwith with respect to the Amendments to that Bill designated by Mr. Speaker which have not been disposed of the Question, That this House doth agree with the Lords in the said Amendments; and

(iv) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Amendments to that Bill;

(c) as soon as the House has agreed or disagreed with the Lords in any of their Amendments to the Bill in question Mr. Speaker shall put forthwith the Question that all other Amendments to that Bill moved by a Minister of the Crown relevant to that Lords Amendment be made.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

Stages subsequent to first Consideration of Lords Amendments

3. The proceedings on any further Message from the Lords on either of the Bills shall, if not previously brought to a conclusion, be brought to a conclusion one hour after the commencement of those proceedings.

4. For the purpose of bringing those proceedings to a conclusion—

(a) Mr. Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided, and shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair;

(b) Mr. Speaker shall then designate such of the remaining items in the Lords Message as appear to him to involve questions of Privilege and shall—

(i) put forthwith the Question on any Motion made by a Minister of the Crown on any item;

(ii) in the case of the remaining items designated by Mr. Speaker, put forthwith the Question, That this House doth agree with the Lords in their said Proposals; and

(iii) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Proposals.

Supplemental

5.—(1) In this paragraph 'the proceedings' means proceedings on any further Message from the Lords on either of the Bills, on the appointment and quorum of a Committee to draw up Reasons and the Report of such a Committee.

(2) Mr. Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the consideration forthwith of the Message or, as the case may be, for the appointment and quorum of the Committee.

(3) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(4) Paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings.

(5) No dilatory Motion with respect to, or in the course of, the proceedings shall be made except by a member of the Government, and the Question on any such Motion shall be put forthwith.

(6) If the proceedings are interrupted by a Motion for the Adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) a period equal to the duration of the proceedings on the Motion shall be added to the period at the end of which the proceedings are to be brought to a conclusion.

Interpretation

6. In this Order 'the Bills' means the School Boards (Scotland) Bill and the Housing Bill.

Orders of the Day

School Boards (Scotland) Bill

Lords amendments considered.
Lords amendments Nos. 1 to 5 agreed to.

Clause 6

PROCEEDINGS

Lords amendment: No. 6, in page 5, line 10, at end insert "and any legal proceedings or other document to be served on a Board shall be deemed to have been duly served if served at the school on the Clerk or, if no Clerk has been appointed, on the chairman or vice-chairman."

12.50 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Forsyth): I beg to move, That this House doth agree with the Lords in the said amendment.

The Deputy Speaker (Mr. Harold Walker): With this it will be convenient to consider Lords amendments Nos. 7, 8 and 9.

Mr. Tony Worthington (Clydebank and Milngavie): I want the Minister to respond to the amendments to clause 6 and perhaps he will, with the leave of the House, also address himself to amendment No. 5 and say why a decision was made to leave out "third" and insert "half".

It will also be helpful if the Minister will explain the role of the clerk. Even at this late stage, there is considerable ambiguity about that. Will it be possible, for example, for a teacher to serve as a school board clerk? If so, what problems does the Minister think might be associated with that event? At other stages teachers have been excluded from being holders of offices on the board, but it now seems that permission will be given for a teacher to serve as a clerk.

There is a further ambiguity. Clause 6 states that the school board shall appoint a clerk. Can that person be an employee of the regional council, and what will be the relationship between the council and its own employee in such a case? In Committee the Minister believed that volunteers could be used to undertake fairly onerous duties.

The relationship of the clerk to the school board remains vague. There is a possibility that a member of the board will also be the clerk to the board and have certain duties deputed to him or her. In other circumstances the clerk might not be a member of the board. It is unusual for a clerk to be a voting member, so some strange relationships could be created.

My final point is on amendment No. 7, which is really very odd. It means that the minutes of a meeting can be composed and approved at the same meeting. We are all aware that normal practice means that minutes of a board meeting are written and delivered to the next meeting of the board. What aspect of amendment No. 7 commended itself to the Minister to allow the highly unusual position where minutes might be written at a board meeting and approved at the same meeting? Perhaps the Minister can see in the amendment some virtue to which I am blind.

Mr. Michael Forsyth: Perhaps I can help the hon. Gentleman by referring to amendment No. 5 which has

been agreed by the House. It will increase the membership of non-board members on sub-committees from one third to one half. The proposal was made by the director of education in Dumfries and Galloway as the result of its splendid experiment in pilot school boards. The director of education suggested that the change should be made especially in respect of community schools, where larger numbers of outside people might be required.

The hon. Gentleman also asked about the role of the clerk. As he will recall, we had a long discussion in Committee on the clerk's role. The clerk's role is to serve the board and to take minutes. That role will be determined by the board itself.

The hon. Gentleman asked whether a teacher could be the clerk. I recall that Opposition Members were keen to argue in Committee that we should require the clerk to be a local authority employee. We decided that we should leave discretion in that matter to the boards. Therefore, the board may appoint a teacher or anyone else as clerk.

I was slightly surprised that the hon. Gentleman described amendment No. 7 as odd, because a very similar amendment was tabled by the Opposition in another place. Amendment No. 7 meets the concern expressed by Opposition Members and others that, without authentication, board minutes and those of committees might be open to challenge.

Sir Hector Monro (Dumfries): I support my hon. Friend the Minister, and I am somewhat surprised that there is no education spokesman on the Opposition Front Bench. That is strange when we are discussing a major Scottish Bill. Perhaps the spokesman is absent because of the disarray after last night's disaster in Glasgow.

With regard to amendments on procedure, my hon. Friend will be aware that we have run a pilot scheme in Dumfries and Galloway. The scheme has been very satisfactory and issues of procedure have not arisen. The election of members, the arrangements for clerks, and other procedures have all worked satisfactorily. That shows that the amendments tabled in another place are worth while and fit in very well with the recommendations made by the Scottish Education Department to Dumfries and Galloway. The pilot scheme was excellent and it will help with the establishment of school boards later next year.

Question put and agreed to.

Lords amendments Nos 7 to 9 agreed to.

Clause 12

RELATIONS BETWEEN BOARDS AND PARENTS

Lords amendment, No. 10, in page 7, line 42, after "(a)" insert

"as often as appears to them to be necessary but, in any event—

(i) not more than 12 months after their establishment, and

(ii) at intervals of not more than 12 months after the first such report,

make a"

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Mr. Maclean.]*

Mr. Deputy Speaker (Mr. Harold Walker): With this we may take Lords amendments Nos. 11 and 12.

1 pm

Mr. Norman Buchan (Paisley, South): I am curious about the words:

"not more than 12 months after their establishment, and . . . at intervals of not more than 12 months after the first such report".

Is it really envisaged that the school board will promote contact by reporting to parents at no shorter intervals than 12 months? What kind of contact is that? It is almost like the contact that the Tories have with Scotland as a whole—the annual visitation as they float in, are rejected and float out again. I know that the Tories did very badly last night, with only a 7 per cent. vote, but at least they managed to save their deposit, on which they should be congratulated. If they are to leave such a long period between compulsory discussions, it will be a shame if they do not at least learn the lessons of last night, pay some attention to the people of Scotland and recognise that they regard the Bill as having been foisted on them by No. 10 and its Scottish minions on the Front Bench.

The Bill is not wanted in Scotland, and one of the reasons is the delay before a full report is given to the people. I hope that we at least will have our report from the Front Bench so that we can make our final decision.

Mr. Michael Forsyth: I think that the hon. Member for Paisley, South (Mr. Buchan) is chancing his arm somewhat in referring to last night's by-election. It must be the first by-election in history in which the protest voters have been against the Opposition rather than the Government. The hon. Gentleman mentioned the figure of 7 per cent.——

Mr. Deputy Speaker: Order. It seems that in this instance yesterday and yesterday creeps in this petty pace from day to day. I hope that hon. Members will stick to today's business.

Mr. Forsyth: Perhaps I could address my remarks to tomorrow. The hon. Gentleman asked why there was provision for reports to be made only every 12 months. If he reads the Bill, he will find that clause 13 provides for parents to demand a meeting at any time. He will also find that boards have a specific duty to promote contact with parents, and to establish parent and parent-teacher associations. The Bill provides for a minimum requirement to report on a regular basis, which we resisted in Committee, but we were pressed by the Opposition to include the provision. We would, however, expect boards to report on a regular basis as part of their wider duties. To help the Opposition in Scotland—and they are certainly in need of help at present—we were prepared to accept an amendment along these lines.

Question put and agreed to.

Lords amendments Nos. 11 to 21 agreed to.

Housing Bill

Lords amendments further considered.
Lords amendments Nos. 45 to 50 agreed to.

Clause 50

HOUSING ASSOCIATION GRANTS

Lords amendment: No. 51, in page 38, line 20, leave out "Corporation" and insert

"Housing Corporation and Housing for Wales"

1.5 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take Lords amendments Nos. 52, 54 to 58, 60 and 64 to 71.

Lord James Douglas-Hamilton: These amendments are essentially of a technical nature. Their main purpose is to ensure the proper application of part II of the Bill to Scottish Homes. That is done by deleting the grant-making powers contained in clauses 50 and 51 for Scottish Homes because that body has its own grant-making powers under section 2 of the Housing (Scotland) Bill 1988.

The function of the Housing Corporation in Scotland is being taken over by Scottish Homes. Scottish Homes is being given powers separately to do that. Therefore, the amendments make for both consistency and clarity. The matter is dealt with in this Bill because housing association legislation has been United Kingdom legislation in the past.

Question put and agreed to.

Lords amendment No. 52 agreed to.

Lords amendment: No. 53, in page 38, line 34, at end insert—

"(3A) On such terms is it may, with the appropriate approval, specify, the Corporation may appoint a local housing authority which is willing to do so to act as its agent in connection with the assessment and payment of grant under this section; and, where such an appointment is made, the local housing authority shall act as such an agent in accordance with the terms of their appointment.

(3B) In subsection (3A) above, "the appropriate approval" means the approval of the Secretary of State given with the consent of the Treasury."

The Parliamentary Under-Secretary of State for the Environment (Mr. David Trippier): I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 59 and 61 to 63.

Mr. Trippier: These amendments deal with aspects of the grant regime for housing associations established by the terms of the Bill and make provision for transitional arrangements as the Bill comes into operation. The House will recall that we debated the role of local authorities in relation to housing association projects both in Committee and on Report. The then Minister for Housing was able to tell the House on 13 June that, as announced a little earlier, the Government had decided to maintain the present system under which local authorities were able to sponsor housing association projects.

Under the Bill it will be for the Housing Corporation to pay grants on such projects and the Bill as it stands is quite adequate to enable that to be done. The House was right to reject an amendment on Report that sought unnecessarily to make explicit provision for grants to be paid on schemes sponsored by local authorities.

While the Bill was in the other place, however, we considered whether there were any useful provisions that could facilitate the local authority funding the process. Under the current legislation where housing grant is paid by the Secretary of State, he is empowered by section 49(5) of the Housing Associations Act 1985 to appoint a local housing authority to act as his agent in respect of paying the grant. We had dropped that provision from the Bill because at the time that the Bill was introduced it was not intended that local authorities should be able to continue their sponsorship role. However, as that position has now changed, we think that it is only right to reintroduce a provision for local authorities to act as agents. I am certain that Opposition Members will welcome that provision.

Lords amendment No. 53 provides that where a local authority is willing to take on this role it is empowered to act as the Housing Corporation's agent in connection with assessing and paying capital grant. It means that the local authority, acting under the general rules of the Housing Corporation, will be able to assess how much grant a scheme that it has funded is entitled to receive.

Lords amendments Nos. 61, 62 and 63 are minor and ensure smooth transition to the financial regime for housing associations established by the Bill as opposed to that established by the Housing Associations Act 1985 in areas where a commencement order would be inappropriate.

Lords amendments Nos. 61 and 62 are necessary to ensure that the arrangements for dealing with surplus rental income can operate in relation to accounting periods which straddle the commencement date. Lords amendment No. 63 was introduced to give the Secretary of State the authority to delegate to the Housing Corporation after enactment of the Bill work which remains under the arrangements of the 1985 Act regarding revenue grants and the recoupment of surplus income.

Question put and agreed to.

Lords amendments Nos. 54 to 71 agreed to.

Clause 60

HOUSING ACTION TRUST AREAS

Lords amendment: No. 72, in page 46, line 19, after "order" insert

"after the conduct of a ballot as specified in section 61(2) below, (and subject to the provisions of that subsection)"

The Secretary of State for the Environment (Mr. Nicholas Ridley): I beg to move, That this House doth disagree with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider the following: Government amendment (b) to the Lords amendment.

Lords amendment No. 73.

Government motion (b) to disagree with the Lords in the said amendment.

Government amendments (c) to (e) to the Lords amendment.

Mr. Ridley: I agree with the Lords that there should be a ballot. That is the subject of this debate.

Mr. John Fraser (Norwood): Will the right hon. Gentleman give way?

Mr. Ridley: No. Let me get started.

I accept the spirit of the Lords amendment but, as I shall explain, I differ with them on the means by which a ballot should be delivered.

The purpose of housing action trusts is to put right what the hon. Member for Warley, East (Mr. Faulds) and the right hon. and learned Member for Warley, West (Mr. Archer) were complaining about earlier—the estates of dilapidation and severe disrepair. As the right hon. and learned Gentleman said, they have a problem. The problem may be the result of bad design leading to dirt and graffiti, a high level of crime, high vacancy rates, high rent arrears and wretched living conditions in many areas of the worst council housing in the country. We all know of such areas because Opposition Members have for many years drawn attention to them and the need for more help for the worst public housing.

I believe that it is right that we should give people who live in such conditions the opportunity to have more choice and diversity and to have repairs and improvements done to their homes. There should be a new way in which to improve the worst estates. One can oppose such a policy only because tenants want to live in such conditions, which I cannot believe possible, or because tenants have been misinformed about what a HAT will do and what will happen after HATs have been established.

Mr. Clive Soley (Hammersmith): Does the Secretary of State realise how much anger he creates among the residents of such estates when he describes them in that way? Many of the estates that have been chosen do not fit his description. One, in Sunderland, has had about three years of work done on it. The work is still being carried out and is well advanced.

It is to a high standard and there is a very low level of crime, graffiti and vandalism. That is true of almost all the selected estates. The truth is that the Secretary of State has chosen areas that he can sell off, not the worst areas.

Mr. Ridley: I do not agree with the hon. Gentleman. I have seen all the areas myself. I have seen what the vacancy rate is, crime records held by the police and many other bits of information——

Mr. Derek Fatchett (Leeds, Central): Will the right hon. Gentleman give way?

Dr. John Cunningham (Copeland): Will the right hon. Gentleman give way?

Mr. Ridley: I have a lot to say. I shall give way to the hon. Member for Copeland (Dr. Cunningham), but after that I would prefer to get on with what I have to say.

Dr. Cunningham: I am grateful to the Secretary of State for giving way. We all know that, thanks to him, we are short of time. Although we do not agree with the principle, why did not the Secretary of State discuss the matter with the local authorities and the tenants before making his designation? Then he could have been sure of getting it right and dealing with those areas with the worst problems. He has made no attempt to do that. He has designated the areas that he chose to suit his own ideological purposes.

1.15 pm

Mr. Ridley: I do not understand how this measure could conceivably benefit any ideological purposes. Opposition Members have been demanding action on the worst council estates in the country. The worst estates were to be determined by the consultants' report, which I have not yet received.

Opposition Members and the councils in their areas have gone in for a campaign of gross misinformation about what HATs will mean. Sandwell NALGO has been saying:

"The security of every tenant will change if a HAT is allowed to take over.".

That is quite untrue. The establishment of a HAT will make no difference to tenants' status rights or rent. Lambeth NALGO has been telling people:

"The estates will most likely be sold to a private company whose only interest will be making a profit".

In Sandwell tenants were told:

"... under private landlords you will see your rents soar ..."

None of that is true. It is a gross misrepresentation. We have stated quite categorically and made it a statutory requirement in the Bill that HATs may transfer property only back to the councils or to landlords approved by the Housing Corporation. Those landlords will be required to demonstrate stability, viability and a commitment to the long-term provision of rented housing at rents within reach of those in lower-paid jobs. Rents will be frozen in advance of improvements and thereafter will rise at the rate of council rents.

Another case from Sunderland involved scare stories that home owners who bought their houses under the right to buy would have them compulsorily repurchased to make way for redevelopers. That is a quite disgraceful claim; it is not remotely true.

Another disgraceful claim was that HATs could lead to discrimination and harassment. That has absolutely no basis in fact and it is belied by the statutory requirements for HATs to promote racial equality, to prevent sexual discrimination and to pay special attention to the needs of disabled people. At the end of the period of the HAT—which we hope will be soon—tenants can opt for the right to buy, to form a tenants co-operative with help from the Housing Corporation, to have their property transferred to a housing association, to go to an approved private landlord—I emphasise the word "approved"—or to go back to the council. We have undertaken to give additional borrowing approvals to councils so that, if they wish and if the tenants wish, they can buy back the property at the end of the period. That is the deal we have offered, but the misinformation that has been prevalent throughout the affair has obscured that deal and focused on the ballot.

Mr. Nigel Spearing (Newham, South): Will the Secretary of State give way?

Mr. Ridley: I shall give way in a moment.

Ministers and I have been round all the HATs and have listened to what the people have said, except on the occasion when the tenants walked out, to which I shall refer soon. We have heard wildly exaggerated fears that have been sown in their minds, and the absence of a ballot was the one clear point to unite opposition. I came to the

[Mr. Ridley]

view that real arguments were impossible to get across if the ballot question was obscured. Let there be a ballot. I am proposing that there should be a ballot. Then there will be only one issue. Which is more important—the political opposition of the Labour party, or greatly improved living conditions for the people in those areas?

There is no other way in which large sums of money can be targeted on especially deserving estates. The current capital expenditure system means that receipts lie where they fall and are not available in other areas. I cannot distribute capital allocations taking account of where there are no receipts and the need for the local authority to spend. That is one reason why we shall propose a change to the present capital control system. But we have proposed Estate Action help. The hon. Member for Warley, East was waving a copy of its report, which shows that funds will be targeted on an estate in his constituency. Although the funds for Estate Action will be increased from £140 million this year to £190 million next year, such allocations will have to go round estates in about 100 local authorities and could not be used to concentrate funds only in some local authority areas.

The problems of the worst council estates and the most rundown areas remain to be resolved in any way that we can find. I addressed the problem fairly and squarely—there is no other way of doing it—by bringing to the House a proposal that we should have the power to designate an area as a housing action trust and to concentrate resources in that area. The provision for the next few years is £192 million. But the Opposition obstruct, delay and cause scaremongering, and when we give them the very thing that seemed to be preventing people from accepting the idea they accuse the Government of blackmail and of whatever excuse comes to mind next. "Blackmail" means extortion of money; it means hush money. It does not fit the picture of a Government openly offering £192 million during the next three years to six local authorities and their tenants.

Mr. Simon Hughes (Southwark and Bermondsey): Can the Secretary of State tell the House and those tenants why, if he has decided that the estates need repair and improvement—which they do—he is unwilling to offer the money on the basis of a partnership agreement with the local authority in each case, with satisfactory controls by his officials? Then the worst estates could be improved, but on the basis of agreement as opposed to disagreement.

Mr. Ridley: The hon. Gentleman has not been listening. I explained how the capital allocation system works and said that I could not achieve those aims with the present instruments. I cannot give excessive capital allocations to one authority without removing them from another. That is why I propose this special device, which the hon. Gentleman supports in principle. We must consider the co-operation of the local authority. If the tenants and the local authority do not want a housing action trust, under the amendment that I propose they will not have one. There will be no housing action trust where there is no co-operation.

Mr. Spearing: I agree with the Secretary of State that there has been misinformation. A little while ago he talked about what would happen when housing action trusts came to an end. Has he seen the pamphlet issued by his Department entitled "Housing Action Trusts"? It states:

> "If you went back to the local authority you would remain a secure tenant. If you transferred to a housing association or other landlord, you would have a new form of tenancy, an assured tenancy, which would give you broadly the same security of tenure as you have now".

Surely that statement is incorrect, because, if it were the same, the assured tenancy would not be necessary as it would be secure. Surely that is just as much misinformation as anything that the right hon. Gentleman accuses me or my hon. Friends of creating.

Mr. Ridley: No, it is not true. The new housing association assured tenancy that is in this Bill is not identical—*[Interruption.]* No, I said that the housing association assured tenancy is not the same as the present secure tenancy that a council offers. That is why I said that it is not. I did not say that it was the same. I said in the pamphlet that the hon. Gentleman has, that they were broadly similar in terms of security.

Mr. Spearing: Or other landlords.

Mr. Ridley: If it is another landlord, not a housing association, the hon. Gentleman will perhaps know that the tenants charter requirements will be binding, contractual and supervised by the Housing Corporation, so that no landlord who has not signed up to the same principles as are involved in housing association secure tenancies will be allowed to take over from a HAT, either when a HAT is dissolved or on resale later, after they have acquired housing from a HAT and wish to sell it. The conditions are binding for all time. That is justification of what I said to the hon. Gentleman.

Only two nights ago, before we got to the amendment—I have no complaint about that—the hon. Member for Norwood (Mr. Fraser) expressed concern on behalf of Lambeth tenants living in bad housing. I agree that there is much bad housing in Lambeth. The hon. Gentleman said that I am bribing them to vote for a HAT. Perhaps I should remind him of the meeting that he attended with the council leaders in my office on 27 July. After 15 minutes, the tenants walked out, with the council representatives following them. They did so, they said, because unless they were given a ballot they were not interested in talking to me or to anyone else about a HAT. But I listened, and I am now offering them a ballot. I have done exactly what they asked and what the hon. Gentleman said that I should do. He now says that I am contriving an argument and that I am bribing them or denying them resources. That is the extent of the political manipulation and misinformation to which the hon. Gentleman has stooped.

Mr. Fraser: Will the Secretary of State tell me why, at Question Time last Wednesday week, he said that they should not have a ballot? When did he change his mind? Is it not true that, according to the briefings to the newspapers last Monday, it was made quite clear that, if people did not vote for a HAT, they would not have access to the £192 million? Is that confirmed today? Does it amount to a form of bribery?

Mr. Ridley: I announce decisions when they have been taken and agreed by my colleagues. On Wednesday last week, those decisions had not been agreed by my colleagues. As soon as they were agreed by my colleagues,

I announced them. I had to announce them because the amendment had to be tabled on Monday. It seemed to be reasonable at least to inform the public on Sunday rather than wait for them to read the amendments on Monday morning. I gave the information as quickly as I could.

I wonder whether Opposition Members should consider whether I am trying or they are trying to deny tenants the £192 million that I am making available for HATs. Perhaps they have forgotten their own words.

Mr. Allan Roberts (Bootle) *rose*——

Mr. Ridley: The hon. Gentleman seeks to intervene. Let me quote his own words in Standing Committee. He said:

"we do not want to be accused of suggesting to local authorities, once the Government have declared housing action trusts, that they should not co-operate with the Government and take as much of the Government's resources as possible through housing action trusts to encourage the improvement and upgrading of estates.

If there are limited resources and the Government are to make them available only to areas where housing action trusts are declared, or provide limited resources elsewhere and extra resources to housing action trusts, no local authority in its right mind would turn that money away or refuse to co-operate to obtain the money for the tenants' benefit."

Mr. Roberts *rose*——

Mr. Ridley: I shall give way to the hon. Gentleman when I have finished the quote.

Mr. Roberts: The Secretary of State has not finished the quote—that is the trouble. He is quoting selectively. I went on to say that we do not believe that this is the way to make the money available. We believe it should be given to the local authorities. The local authorities should be given resources because they could do the job if they were given them.

1.30 pm

Mr. Ridley: The hon. Gentleman cannot get away from the finality of those statements and, if he tries to do so, I shall quote a third passage from his speech. After saying that he did not like the idea, the hon. Gentleman said:

"We are not saying, however, that if the Bill is enacted and housing action trusts are introduced, local authorities should not try to make them work and use the extra resources available for the tenants' benefit."—[*Official Report, Standing Committee G*, 11 February 1988; c. 754-55.]

It seems impossible that the Bill will become law and that it will contain the HAT proposal. Labour Members should reconsider whether it is wise to continue to make this subject a political football when the interests of the very people whom they purport to represent and whom they seek to help are being jeopardised by they campaign of misinformation and the totally false information that they are giving.

The right hon. and learned Member for Warley, West began his speech by saying that he acknowledged that there was a problem. He went on to say that he wanted to help tenants but he then talked in Battle of Britain terms about how he hoped that they would have a victory in defeating the housing action trust. That is not in the interests of the tenants. That is putting politics before the interests of his constituency. He made the most disgraceful blatant plea that the steamed-up anger of the tenants, which he has promoted, should be allowed to prevail over their own interests.

Mr. Peter Archer (Warley, West): I was merely seeking to report to the right hon. Gentleman what I had not had the opportunity of reporting in any other way—what the tenants themselves are saying. I said that I am perfectly happy to leave the decision to the tenants; that is exactly what I want.

Mr. Ridley: Well, we agree on the last point. We are leaving the decision to the tenants. That is no longer a contentious issue. Let me take this a stage further for the right hon. and learned Gentleman. If we are now leaving the decision to the tenants, and if that money is available in my public expenditure line—the right hon. and learned Gentleman can see that it is—what will he advise his tenants? Will he advise them that they should seek to make use of and take advantage of that facility? If not, I must advise him that, if we do not find an estate which is in a bad condition and which is willing to accept a housing action trust, I have no alternative but to return that money to the Treasury because it is in a certain line and allocated for a certain purpose—[HON. MEMBERS: "Blackmail."] There is no way in which that money could otherwise be made available——

Mr. David Winnick (Walsall, North): That is blackmail.

Mr. Ridley: If the hon. Member for Walsall, North (Mr. Winnick) calls that blackmail, he does not know what the word "blackmail" means in this case. It is extraordinary that year after year he says that there is a need for more expenditure for the worst council estates, but when the money if offered he tries to persuade tenants not to accept it. Then when they do not receive it, he calls that blackmail.

Mr. Winnick *rose*——

Mr. Ridley: No, I shall not give way. The hon. Gentleman has a lot to learn about this.

We should give the tenants a vote, and the best way of arranging that is that the majority of those who vote should prevail. It is a yes or no question.

I am sad that the hon. Member for Southwark and Bermondsey has put his name to a motion stating that he supported the Lords amendment in the form in which it was drafted. I know that he has since removed it, but it was a mistake for him to put his name to it in the first place if, in the light of what he said earlier——

Mr. Simon Hughes: It has not been removed. The preferred voting system for both HATs and tenants' choice is one that ensures that more than half of those eligible to vote do so and that there is then a majority in favour. That is what the other place achieved for HATs, but, sadly, it missed it for tenants' choice by just two votes. If the right hon. Gentleman had accepted that for HATs and, through an amendment, for tenants' choice, we should have been a great deal happier.

Mr. Ridley: The Lords amendment, with which we are suggesting the House disagrees, provides for a majority of the tenants eligible to vote, not for a majority of the tenants who actually vote. What the hon. Gentleman has said conflicts with that. He is trying to have it both ways.

I commend the system of voting that the Government have proposed. I have had to redraft some of the Lords amendments for technical reasons, and I shall explain them if it is the wish of the House. The fairest way to carry out a ballot is by majority of those who vote.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I appeal for brief speeches from Members on both sides of the House because of the prevailing circumstances. In deciding who shall catch my eye, I shall take into account the length and frequency of interventions.

Dr. Cunningham: The House, those listening to the debate and those reporting it could be forgiven for overlooking the fact that we have just heard a speech from a Secretary of State who has been a member of successive Administrations who have, as a deliberate and systematic act of policy, reduced housing investment programmes, in real terms, by less than 70 per cent. That underlying fact —no accident, but a deliberate and regular act of policy —lies at the heart of many, although not all, of the housing problems that the right hon. Gentleman now says he so urgently wants to address and correct. It is an act of the greatest hypocrisy for the Government to say that they have at heart the best interests of those who have suffered those cuts, after almost 10 years of deliberately disabling the ability of local authorities, elected by those people, to deal with housing, neighbourhood and community problems.

We simply cannot stomach that from the right hon. Gentleman without saying that it stinks of hypocrisy to say that the Government are concerned about the very problems for which they are fundamentally responsible. Whichever way the right hon. Gentleman comes at the issue, HATs are a central Government imposition on people, their homes and their neighbourhoods. It is yet another example of the Government's manic determination to circumvent elected local authorities. It is no good the right hon. Gentleman saying that there is no element of coercion. It is coercion to say that unless people do what he wants them to do, their housing problems will be left unattended and no money will be made available. Nothing could be plainer than that.

I certainly welcome the Secretary of State's belated recognition of and conversion to the idea that tenants actually have some rights. We said at the outset that people should have been consulted and that they should have the right to vote. I can imagine the reaction in parts of Mayfair, Park lane or even Cirencester and Tewkesbury in the Cotswolds if a Labour Government had said, "We shall take action in Parliament to change the tenure of your homes and we shall not consult you about it." There would have been a riot. Indeed, it is amazing that those who will be affected by HATs have been so tolerant.

It has taken a year for the message to sink in. Even now, although the right hon. Gentleman has said that he accepts the spirit of the Lords amendment, he is nevertheless trying to fiddle even that.

Mr. Ridley *indicated dissent.*

Dr. Cunningham: The right hon. Gentleman shakes his head. I shall come to the evidence in a moment.

When I said earlier that the right hon. Gentleman's and the Prime Minister's ideology was the driving force behind the proposals, he denied it. Let us examine that denial. In common with many other people, the Opposition now have the advantage—despite the Government's attempts to deny it both to us and to the people affected—of the report by the property investment company Peat, Marwick, McLintock. On page 13a the report states:

"HATs—The desired end result drives the means of achieving the result",

and the goal is spelt out unequivocally as

"Successful transfer to the private sector".

The whole object of the exercise is to transfer the properties to the private sector whether the tenants like it or not, and it is utterly dishonest for any Minister to pretend otherwise. It was a remarkable act of candour for the Secretary of State to say that everything was explained by the consultants' report, but the trick was that he never intended us or the tenants to see the report. [HON. MEMBERS: "How did they get it?"] I do not know how they got it, but I am very glad that they did, because another feature that I cannot stand about the Secretary of State and the Government is the way in which they continually come to Parliament with legislation but deny evidence about it to the House and to the people affected. If the right hon. Gentleman's trickery is exposed, that is ultimately so much the better even for him, not to mention the House of Commons and the tenants.

My hon. Friend the Member for Halifax (Mrs. Mahon) recently asked what was the cost to the taxpayer of the consultants' reports. The Under-Secretary of State, the hon. Member for Rossendale and Darwen (Mr. Trippier), replied:

"The costs of these consultancy studies, which are still under way, are commercially confidential."-[*Official report*, 2 November 1988; Vol. 139, c. *685.*]

The Comptroller and Auditor General may have something to say about that. I hope that my hon. Friend the Member for Halifax will continue to pursue the matter because she is absolutely right to seek to put on record the cost to the taxpayer of the ideological nonsense being perpetrated by the Government at the taxpayers' expense.

I therefore have to say, as gently as I can, that we simply do not believe what the Secretary of State has said to the House today.

We welcome the Lords amendment because it strengthens the tenants' position. If the Secretary of State had been consistent and said from the outset that tenants in proposed housing action trusts could have a vote and that in both that situation and in the pick-a-landlord scheme the vote would be on the basis of a simple majority, everyone would have been content, but that is not what he is proposing. Yet again, he is being deliberately inconsistent. The difference between the Lords amendment and the right hon. Gentleman's counterproposals is extremely important. The Lords amendment guarantees that a ballot will be held. The right hon. Gentleman's amendment does not give that unequivocal guarantee.

Mr. Ridley: Yes, it does.

Dr. Cunningham: The Government amendment gives the Secretary of State all the choices. He will decide whether a ballot is appropriate. He chooses whether to hire an independent body to carry out the ballot, and he chooses the independent body. If the Secretary of State decides against an independent body, he arranges for a ballot to be conducted in the way that he thinks best.

Mr. Ridley *rose*——

Dr. Cunningham: I shall give way in a moment.

1.45 pm

There are no rights and guarantees for tenants in the Secretary of State making all these decisions. The right hon. Gentleman may want to intervene to say what he will

write into the Bill. Words spoken in the House in debates are not worth the paper on which they are written in respect of giving people fundamental rights. Repeatedly, Ministers in this and previous Thatcher Administrations have given commitments in the House which subsequently have been cynically and deliberately disregarded. */Interruption./* I do not know what the Under-Secretary of State is laughing at. We do not find any of this funny. If the Secretary of State wants to say that he will write into the Bill an unequivocal guarantee of a ballot, that is fine. If he is just going to say that that is his intention, that is certainly unacceptable.

Mr. Ridley: I agree that all this bumf about which the hon. Gentleman complains is worth nothing, particularly if it is not read. Let me read the amendment to the hon. Gentleman:

"no order may be made under section 60(1) above in respect of that estate unless a majority of tenants eligible to vote have approved the proposal."

That is unequivocal, clear and——

Dr. Cunningham: What does it mean?

Mr. Ridley: It means "vote for." It says "approved." If one votes against it, that is not approving. I am sure that the hon. Gentleman did not have to be taken through that point. If that is what he thinks, he has not left his private school.

Dr. Cunningham: Perhaps the Secretary of State or the Under-Secretary of State will explain why they should say that the Secretary of State decides whether a ballot is appropriate. Why should that caveat be in the legislation? Is the Secretary of State saying that that will be removed? Will he decide whether a ballot is appropriate? Will there be a ballot? [HON. MEMBERS: "Answer"] I am happy to give way to the Secretary of State.

Mr. Ridley: In respect of declaring housing action trusts, the governing subsection in clause 61 is subsection (2). I have quoted it once and I shall quote it again:

"no order may be made . . . in respect of that estate unless a majority of tenants eligible to vote have approved the proposal."

Mr. Spearing: Not by ballot.

Mr. Ridley: By ballot. The clause goes on to describe how it is to be done. It could be a ballot or a poll. The difference is that one is postal and the other is not. There are two possibilities: it could be organised directly by my officials or I have the power to delegate it to the Electoral Reform Society. I am happy to tell the House that the Electoral Reform Society has agreed to operate these ballots, so I am able to delegate this function to it.

Dr. Cunningham: I still say that, as written, the right hon. Gentleman's proposals are ambiguous. It is no good his saying that we should stop saying that. Our interpretation of and advice on what he proposes is that, unlike the Lords amendment, which he seeks to change, his proposals are ambiguous. That is a strong point.

In earlier exchanges, the Secretary of State failed to explain why the areas that he has chosen were so designated. We have argued that there are areas of far greater need, with much greater problems and difficulties, than those designated for his housing action trusts. If the right hon. Gentleman says that he wants to help the people facing the worst problems, why has Hulme in Manchester been ignored.? Why have areas of deck-access housing not been included in HATs?

People may think that HATs are well named. There will probably be little action and there is little trust of them among the people who will be affected. The Secretary of State's arguments do not wash. He has chosen areas for designation that he knows will suit his ideological purposes, which are spelt out in the report to which I have already referred. The whole sorry story is one of an attempt to mislead not only hon. Members but the people who will be affected, of prevaricating before appearing —but only appearing—to consent to a ballot in every case and of trying to coerce people in the direction that the Government want them to take by saying, "If you do not support us, no money will be spent on your housing difficulties." It is all too typical of the Government's housing policies, which owe everything to dogma and ideology but nothing to solving housing problems.

Mr. Peter Shore (Bethnal Green and Stepney): Although there are some abiguities in the clause and amendment that the Secretary of State has not explained, the most remarkable feature of the debate was his statement, "I agree that there shall be a ballot." That is a remarkable reversal of the position that he had so adamantly taken and that he and his junior Ministers had supported in debate in the House and in the House of Lords for a long time.

My constituency contains no fewer than six HATs. About 2,500 families in Tower Hamlets are to be taken from the control of the local authorities and placed under the jurisdiction and powers of HATs. The Under-Secretary visited York hall in my borough on 17 October 1988 to explain why the Government would reject the Lords amendment. He said that there was no chance of balanced and informed opinion if tenants were consulted about whether they wanted a HAT. That was an extremely arrogant statement. I have much confidence in the ability of tenants in my borough to decide sensibly what is in their interests, and, even though it has come late in the day, I welcome the Secretary of State's change of heart or intention.

I should, however, like to make one or two further points in my brief intervention. I support the view, which has already been articulated, that it is not true that a HAT must be established selectively to assist run-down estates. If the right hon. Gentleman had some administrative problems or difficulties in allocating additional funds to the estates action programme or the priority estates project, which I introduced some years ago, he could easily have dispelled them by seeking additional powers from the House.

Having cut two thirds of the allocation to local authorities for housing investment programmes, it is logical that what is left for local authorities to spend should be targeted in the best and most direct way possible. I do not object to that, but it should be done by the local authorities with the Department, not in spite of it, and properties should not be taken out of their control as landlords. The overall control of the modernisation of an estate obviously falls to the contractor carrying out the job.

Ms. Mildred Gordon (Bow and Poplar): Does my right hon. Friend agree that when the Parliamentary

[Ms. Mildred Gordon]

Under-Secretary of State came to York hall, he tried to tell tenants that there was too great a percentage of council housing in Tower Hamlets? The tenants made it clear to him that they needed more, not less, council housing so that they could be housed at affordable rents. When he told the tenants that they had been misinformed, the tenants' answer was that they were well informed and knew the difference between assured and secured tenancies, which the Under-Secretary of State did not. He tried to tell them that they were the same. The tenants also know that if their tenancies are eventually transferred to private landlords, they will face service charges and rents that they cannot afford. They know that money can be given in other ways.

Mr. Deputy Speaker: Order. The intervention of the hon. Member for Bow and Poplar (Ms. Gordon) is longer than a speech. I hope that she will resume her seat.

Ms. Gordon: It is not the worst estates but the best locations that have been chosen for HATs.

Mr. Shore: I thank my hon. Friend for the additional points that she made about the meeting at York hall in Tower Hamlets.

If the Secretary of State has £192 million that he wishes to spend to deal with problems on the worst estates in the country, it is entirely within his power to discuss and agree with the local authorities which estates should be involved and then to allocate the money and see that it is spent for no other purpose. Therefore, the idea of HATs becomes irrelevant, unless there is an ulterior purpose. That ulterior purpose has been expressed and is rightly feared by tenants. It is to bring about the dissolution of local authority housing in a new way by assisting the transfer of such estates to private landlords and housing associations.

The new provision to assist local authorities to reacquire HATs came late in the day and is part of the retreat of the Secretary of State and his Ministers from the original purpose of HATs. Now he says, "They can opt to go back to the council at the end of the HAT period." At this late stage he has answered the question, "What if the council does not have the money to buy back at the new inflated price?" He said, "I will make special money available."

All those arrangements will need to be scrupulously and carefully examined if there is to be any serious change of opinion among the tenants affected by HATs. The tenants are concerned that they should continue to have the security that goes with secured tenancies and that they should have the right, which goes with democratically elected landlords, to be able to approach the responsible member of the council rather than have to negotiate with private or other landlords on the matter of contracts and law.

Mr. Fatchett: I shall speak specifically about Holton moor estate in my constituency, which has been designated as a housing action trust area, but what I say will apply to the Seacroft and Gipton estates, which have also been designated, which are in the constituency of my right hon. Friend the Member for Leeds, East (Mr. Healey).

First, the Secretary of State's decision to designate Holton moor as a housing action trust area has caused a great deal of disquiet and upset. If the right hon. Gentleman will study the criteria published by his Department, he will find that the essential characteristic of a housing trust area is that it is deemed to be run down. Tenants of Holton moor strongly object to their estate being described in that way. Earlier, the Secretary of State told the House that he had visited every HAT area. Unless he did so under the cloak of darkness, he never visited Holton moor in Leeds. If he had, he would have encountered a great deal of opposition to his Department's designation.

2 p.m.

Secondly, the Secretary of State takes no account of the effective action that has been taken over a number of years to improve Holton moor's housing and environment. There has been substantial local authority investment, which is already showing significant results. There is an agreement with a local housing association to take over a block of maisonettes there, which will in itself improve the area. The old West Yorkshire county council has improved the estate's overall environment. If the right hon. Gentleman visits Holton moor, he will find not a run-down estate but an area that is improving because of local authority intervention.

My final point is that although we welcome the ballot, we prefer the House of Lords definition. The ballot is not a measure of the Secretary of State's success or of his conversion; it is a major triumph for tenants of housing action trust areas throughout the country who have expressed their profound objections to his proposals. In one sense, I thank him for them, because he has brought to the tenants of Holton moor, Seacroft and Gipton an awareness of the points at issue that has never previously existed. As a result, there have been many tenants' meetings and campaigns.

When the Holton moor, Seacroft and Gipton ballots take place, the Secretary of State's proposals will be overwhelmingly defeated. If the tenants of those estates had seen the right hon. Gentleman's performance this morning, their conviction to rebuff his proposals would be stronger still. Blackmail of the kind hinted at by the Secretary of State today—"If you do not vote for my proposals, you will get no money for your estate"—will not work. People have courage and principles and they will not be browbeaten by the Secretary of State for the Environment.

Mr. Gerald Bowden (Dulwich): I wish to speak briefly but firmly in favour of housing action trusts. The majority of the cases that come to my advice surgery—and Opposition Members say that they share this experience—relate to housing matters. Most of the letters in my post bag also relate to housing inadequacies of one type or another suffered by my constituents in Dulwich and Southwark. They are increasingly experiencing homelessness and difficulty with obtaining transfers, with waiting lists, repairs, squatters, and from rent and rate debt amounting to above £30 million. Those tenants who do pay are subsidising those who do not. They increasingly encounter difficulties also in respect of lawlessness and violence on the estates on which they live.

In such circumstances, my right hon. Friend's proposals offer a positive and flexible way of dealing with those problems. It is inexplicable that Opposition Members implacably oppose an attempt to make improvements in an area that desperately needs it. In a

by-election that is currently under way in my constituency, there is a stage army of agitators running around and sowing the seeds of anxiety in the minds of tenants who are already trapped and imprisoned in their flats, with no opportunity of escape. They are being told that all of the proposals that we are debating today will be for the worse. Nothing is further from the truth.

For that reason I wholeheartedly support the idea of the two HATs proposed for Southwark. I offer my right hon. Friend the Secretary of State the opportunity to consider other estates in my constituency which might benefit from that treatment. However, I have one anxiety. After people in HAT areas have experienced the improvements that will flow from the trusts, they will want to be reassured that they will not be thrown willy nilly back on to the mercies of local authorities. They will want reassurances that their right to remain in some form of tenure other than that of council tenants will be safeguarded. They must be reassured that the range of tenures offered to tenants now will be available when HATs have reached maturity. With those reassurances, experience and time will prove that HATs are a major step forward in the provision of public sector housing. I give the concept of HATs my full support and I urge the House to do the same.

Mr. Simon Hughes: The Secretary of State for the Environment introduced the Housing Bill on 19 November last year. When he proposed housing action trusts he will recall that there was no provision for tenants to vote. There would be a vote in this place, but nothing else. Three hundred and fifty three days later, on Sunday television, the Minister for Housing, Environment and Countryside, Lord Caithness, announced that there would be a vote.

It says something about the Government's attitude to tenants that it took them to the last fortnight of the Session before they conceded that there should be a vote and that effectively to nationalise a change of tenure of housing for thousands of people should not have been contemplated without a vote.

Sunday's broadcast was unusual because the programme was followed by a press release from the Department of the Environment. That is not normal practice on a Sunday. The press release was unusual because it stated:

"Government Announces a Ballot on HATS.

Lord Caithness said:

'When we announced our proposals for Housing Action Trusts in July, we said we would take account of local views in deciding whether to establish them. We have spent the past few months listening to what people have to say.

Local authorities and tenant groups have greeted the Government's proposals with suspicion and hostility. Mainly, they claim, because no ballot had been allowed for."

The Government cannot have been surprised at the response that their idea and visits received because, until a few days ago, tenants were told that they would have no vote. The introduction of the vote is a substantial improvement which I welcome.

My only remaining point relates to the kind of ballot, and the Secretary of State referred to that earlier. An amendment was tabled in another place that the ballot should express the wishes of a majority of those eligible to vote. The Government's concession on tenants' choice includes a proposal, agreed by the other place, that there should be a minimum turnout of 50 per cent. The Secretary of State was right—I stressed that point to the hon. Member for Copeland (Dr. Cunningham) earlier—in his interpretation of the wording of his amendment which makes it clear that there must be a ballot or poll—there is no substantial difference between those two.

Mr. Ridley: One is a postal operation and the other involves sticking paper in a ballot box.

Mr. Hughes: I accept that a proper vote must take place. The Secretary of State has said that he will use one of the options to delegate the power to conduct the vote to an independent agency, namely the Electoral Reform Society. That is very welcome. However, it would have been better if the Secretary of State had accepted the amendment as drafted in another place, relating to the majority of those eligible to vote in favour, rather than the majority of those who turned out either in a postal or personal ballot. In the Government's own words, it is right to be suspicious of a major change if it is not certain that a real majority is in favour. Only the other day, the Government said of trade union reform:

"A simple (or even a substantial) majority . . . might not actually be representative if many of those given entitlement to vote in the ballots did not actually do so."

Because we believe that a majority of eligible tenants as well as a majority in the overall vote should be in favour, we shall support the Lords amendments and oppose the Government's change, which, although an improvement on the original position, is still not as good as it could or should be.

Ms. Harriet Harman (Peckham): My starting point is the interests of the tenants on the North Peckham and Gloucester grove estates, whom I was elected to represent. I also represent their concerns for their children and for future tenants who will need housing on such estates.

I take it ill that the Secretary of State, who represents a constituency in Gloucestershire, should tell me that he knows more about what is in the interests of the tenants on the estates that I have mentioned than they do—and more than me, the Member of Parliament elected to represent them. Perhaps I can enlighten the right hon. Gentleman by telling him that in Peckham there is a rare degree of unanimity on this issue. Tenants, the councillors elected by them, those who work in the housing service—many of whom are themselves tenants on those estates—and I, as their Member of Parliament, believe that the present position is not satisfactory. We feel that the quality of service that tenants receive is not good enough, and that the design of the buildings needs improvement.

No one, least of all the tenants, is complacent about the circumstances in which they currently live. But they all believe, as do I, that working with a council that is properly funded by central Government is the route out of the present problems. None of them wants housing action trusts, especially if they are imposed by a Government who think that a ballot should not be allowed because they will not be able to tell the difference between genuine information and misinformation. They are insulted by the idea that a housing action trust is to be imposed on them and the right to vote only dragged out in equivocal terms by a Minister who has been forced back by political reaction to his proposals.

All the tenants in the North Peckham and Gloucester grove estates know that it now takes longer to obtain Health Service treatment and benefits, and that those benefits are not enough to live on. They have seen the

[Ms. Harriet Harman]

deterioration of public transport in south-east London, on which they have to depend. They have no confidence in the solution that the Government wish to impose. I hope, therefore, that the Secretary of State will accept the Lords amendment, which would allow tenants a watertight ballot and prevent his equivocations from being forced on them.

Mr. Fraser: I speak on behalf of the tenants of 3,000 dwellings on the Old Loughborough, New Loughborough and Angell Town estates in Brixton. Two of those estates belonged not to Lambeth council but to the GLC, which was forced to hand them over to Lambeth with insufficient investment to bring them up to date. The blame for the problems in two thirds of the properties, therefore, does not lie with Lambeth council.

The Secretary of State wholly misunderstands the decision by tenants about HATs. Like my hon. Friend the Member for Peckham (Ms. Harman), I have encountered considerable dissatisfaction among tenants about the management, investment and design of their estates, and a wide measure of criticism about Lambeth's services and some of its housing officers. It would be silly for me to deny that.

I was genuinely surprised at the unanimity of the opposition to HATs. I had thought that some people, if not a majority, would speak in favour, seeing HATs as a solution to some of their problems in getting improvements carried out. If the Secretary of State thinks that NALGO has influenced tenants, he has made a great mistake. He has misjudged their political reaction, and he had better come to terms with that fact.

2.15 pm

A very happy development at a late stage in the Bill is that there is to be a ballot, but I want to turn to the more sinister side of it. Unless tenants vote for the local authority's loss of democratic accountability and for the privatisation of revitalised housing estates with a good future, the Secretary of State has made it clear that not a penny of additional resources will go to those who reject housing action trusts.

The Secretary of State has referred to estates that he has described as dilapidated and in a state of disrepair. If people choose to reject housing action trusts, there will be the same dilapidation and disrepair and the same frustration. Whenever there is rain, water will still come into the flats from the balconies and flood them. The heating will remain unsatisfactory. Water will leak between one flat and another across heavy concrete barriers. Asbestos will need to be removed and insulation will still be needed. Cavernous, unused garages will remain hostile and depressing. Those are the unsatisfactory features of some estates where murders, rape and many other serious offences have been far too common. Conditions will remain exactly the same, but treatment will depend not on the merit of the argument but on the outcome of the ballot. That is callous.

The Secretary of State objects to the terms "blackmail" and "bribery". I think that they call it pork-barrelling in the United States. If people do not vote for the right decision, there is no Government investment. That seems to me to be a callous, unprincipled and perverted use of public money. Poor tenants are being punished for pitting their judgement against the Secretary of State's wishes. He proposes that the professionals should be put in charge of the tenants. I want tenants to be in charge of the professionals.

I have put my tenants on the Angell Town estate in touch with Oxford polytechnic school of architecture. It now acts as their professional adviser. The tenants resent the idea of housing action trusts because, using their own professionals, they have developed both inner city and estate action schemes to improve their estates.

The tenants thought that they had the confidence of the Housing Corporation and the Department of the Environment. However, the Department of the Environment turned on them, as it turned on the tenants of estates in other parts of the country, and sought to seize the estates from them. The tenants have won a considerable victory, but I want my tenants to have the victory not just of the vote but of a Government assurance that they will not be punished for the choice that they have made and for their success.

Mr. John Heddle (Mid-Staffordshire): I voted in favour of the guillotine motion because I want this legislation, which formed a major part of the Conservative party's manifesto at the last general election, to receive Royal Assent as soon as possible so that municipal harassment, misleading information and the threats that have been made to tenants in certain housing action trust areas can be redressed. My right hon. Friend the Secretary of State and his colleagues in the Department of the Environment will then be able to publish unbiased, straightforward literature that explains the rights that the members of housing action trust boards will have when the Bill becomes law.

I have to declare an interest. Together with right hon. and hon. Members on both sides of the House, I am an honorary vice-president of the Building Societies Association. The building societies and other responsible financial institutions have a responsibility and duty, as well as an opportunity when housing action trusts have been established, to play a specific role in improving their neighbourhoods. That point was expressed most eloquently by my hon. Friend the Member for Dulwich (Mr. Bowden). Such areas have been starved of investment and care by housing departments. One has only to examine Lambeth, Southwark and Tower Hamlets and their rent arrears and voids to realise that their housing stock has not been cared for as it would have been if the tenants' voice had been heard more loudly and sympathetically.

I welcome four things which have come out of today's debate and which also came out of our debates in Committee during the summer. First, through the powers devolved to the Housing Corporation by the Bill, my right hon. Friend will seek legally binding guarantees on rents from future landlords, whoever they may be. Secondly, local residents and people who live in a HAT area can be represented on the HAT board. Thirdly, new landlords, whether from the private sector, the voluntary housing movement, housing associations or building societies such as the Nationwide Anglia, will need approval from the Housing Corporation. Fourthly, HATs will have a duty to co-operate with local authorities which ask for assistance in discharging their responsibilities to solve the problem of homelessness.

I believe that the housing action trust is a further imaginative way in which to improve the environment in parts of the six selected boroughs.

Mr. Spearing: On a point of order, Mr. Deputy Speaker. During his speech, the Secretary of State read a statement about ballots. During the Division which is to take place shortly, will he check that his quotation was from the Bill that was sent to the other place and not an amendment put in by somebody else? There has been some confusion, and I hope that the matter can be clarified before the debate on the next group of Lords amendments.

Mr. Ridley *rose*——

Mr. Deputy Speaker: Order. The Secretary of State is trying to catch my eye. Does he have the leave of the House to speak again?

Hon. Members: Aye.

Mr. Ridley: With the leave of the House, I should like to reply. I was quoting from the amendment which I have tabled on the Order Paper.

Mr. Soley: The Secretary of State's error was to quote from the Lords amendment. He will need to check the record, but that is generally understood to be the case.

Mr. Ridley: I immediately apologise.

I must reinforce, for the benefit of the hon. Member for Copeland (Dr. Cunningham), that there is no way in which I can designate a HAT under the amendment that I have proposed unless a ballot has taken place and the majority of those who vote and are entitled to vote are in favour of it. He is quite wrong to doubt that.

There is one unresolved issue—whether the ballot should be conducted directly by me or whether it should be conducted by an independent body such as the Electoral Reform Society. Those are the options for which the amendment provides. I am happy to say that the Electoral Reform Society will, I think, agree to conduct ballots, so there will be no need for me to do it. I prefer it that way.

The hon. Member for Copeland and the right hon. Member for Bethnal Green and Stepney (Mr. Shore) complained about cuts in housing investment. When we consider housing capital, we have to take into account the growing quantity of receipts available to and spent by councils. On that basis, spending by councils on housing has increased from £2·251 billion in 1980-81 to an estimated £3·375 billion in 1988-89. That is not a cut of 70 per cent.—it is an increase of about 50 per cent. That is a point which I must get the right hon. and hon. Gentlemen to understand. The difficulty is that, within that greatly increased total, receipts lie in areas that are often quite different from where the needs are. Therefore, I cannot increase allocations—indeed, I have to reduce them—because I have to accommodate the fact that councils have the right to spend 20 per cent. of those receipts, and nearly always do so.

The total figures have risen greatly, but I concede that in the process the areas of greatest need have suffered because allocations have been reduced. Therefore, if we want to give an area special help, we have to find some device such as the one that I have proposed—the housing action trust—to bring new money outside the capital control system to that particular area. That is what I have sought to do.

Dr. Cunningham: I am grateful to the Secretary of State for giving way and for confessing on the record that because of Government policy the areas of greatest housing need have suffered expenditure cuts. That is what he has just admitted. Why has it taken him so long to be honest with the House?

Mr. Ridley: I did not say that those areas suffered cuts in their expenditure, I said that there had been cuts in their capital allocation. That has never been concealed. It is public knowledge that during the past eight years there have been progressive cuts in capital allocations for the reasons that I have just given, but total spending has increased. The hon. Gentleman has never been able to understand that. I hope that he understands it at last.

Mr. Shore: I do not wish to mislead the House, but surely the figures that the Secretary of State has quoted are current prices and were not adjusted for changes in price during the eight years. Although the figures, allowing for inflation, are up, there has been a reduction in real terms.

Mr. Ridley: I was quoting the cash prices. Even then that is not a 70 per cent. cut. I am sure that the right hon. Gentleman understands that, but he should have a word with his hon. Friend the Member for Copeland (Dr. Cunningham) and explain the difference between allocation and spending which his hon. Friend has consistently failed to understand.

Turning to the right hon. Gentleman's later point, it would be possible to legislate some biased system, to give some extra money over and above the normal allocation to certain councils. That would be possible, but we are not proposing to do that. I shall not switch money to councils which have vacancy rates, have failed to collect rents and rent arrears and have the sort of management records that we have heard about this morning. It is better to switch that money so that it goes to repair and not to the various evils we have been discussing.

I must tell the hon. Members for Leeds, Central (Mr. Fatchett) and for Norwood (Mr. Fraser) that that is not blackmail. If estates refuse to accept a housing action trust, all that will happen is that they will go back into the current system of capital allocations plus 20 per cent. of housing receipts which are available to be spent, plus estate action provision which will be available to all councils as it is now, on an equal and fair basis. We are offering the tenants of the estates a priority, and they can turn it down. That is not a punishment; it is a conscious decision. I hope that I have now cleared up that point.

The hon. Member for Peckham (Ms. Harman) described the amendment as equivocal. It is not. It is typical of the misunderstanding or the misinformation which she deliberately spreads. I do not accuse her of deliberate misinformation, but she does not understand. If she is going to talk to her tenant constituents, will she please take the trouble to get it right? There is nothing equivocal about the amendment. There will be a ballot and a decision by a majority of those who vote. If she, as a Member of Parliament, cannot get that right, how on earth will she give her constituents the proper information which they need?

Mr. Soley: There is genuine confusion. Perhaps the Secretary of State has been advised by his solicitors. Two choices are open to him: first, to hand over the job to an independent body, which he has said he wants to do; and, secondly, to conduct a ballot or poll if he thinks fit. In the second case, the key words are "ballot or poll". We are not

[Mr. Soley]

sure whether a vote is implied by the use of the word "poll". A ballot must be a vote, whereas in everyday parlance a poll does not necessarily mean a vote.

2.30 pm

Mr. Ridley: I am advised by the parliamentary draftsmen that they are the correct terms to use if we wish to cover the two possibilities of the Electoral Reform Society deciding, first, to have a postal ballot or, secondly, to set up boxes in polling booths into which people may place their votes, as we do when we vote in parliamentary elections. The phrase that the draftsmen suggested is apparently a well-known phrase that covers either alternative. I give that assurance to the hon. Gentleman, and I hope that that point will no longer be a subject of questions.

I agree with the right hon. Member for Bethnal Green and Stepney that we should put tenants in charge of officials instead of officials being in charge of tenants. But does he believe that the tenants on the estate in his constituency, or those in the constituency of the hon. Member for Peckham, are in charge of the officials who run those housing departments? If they are, I can assume only that they must like living in such conditions. But of course they are not. Tenants need liberation. There is now no reason why Labour Members should not decide on a free vote whether they put their political prejudices in front of the interests of their constituents.

Question put, That this House doth disagree with the Lords in the said amendment:

The House divided: Ayes 246, Noes 74.

Division No. 491] **[2.32 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brittan, Rt Hon Leon
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Goodhart, Sir Philip
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrindle, Robert
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sainsbury, Hon Tim
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*

Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Stephen Dorrell.

NOES

Abbott, Ms Diane
Allen, Graham
Archer, Rt Hon Peter
Ashdown, Paddy
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Battle, John
Beckett, Margaret
Beith, A. J.
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Campbell-Savours, D. N.
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Crowther, Stan
Cryer, Bob
Cummings, John
Cunningham, Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dunwoody, Hon Mrs Gwyneth
Fatchett, Derek
Fearn, Ronald
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gordon, Mildred
Harman, Ms Harriet
Holland, Stuart
Howells, Geraint
Hughes, Simon *(Southwark)*
Ingram, Adam
Kinnock, Rt Hon Neil
Livingstone, Ken
Livsey, Richard
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
Mahon, Mrs Alice
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Hesley)*
Morgan, Rhodri
Mowlam, Marjorie
Murphy, Paul
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Primarolo, Dawn
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Ruddock, Joan
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Spearing, Nigel
Taylor, Matthew *(Truro)*
Warsing, Robert N.
Winnick, David
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Frank Cook.

Question accordingly agreed to.

2.45 pm

Amendment (b) made to the Bill in lieu of the Lords amendment, in page 46, line 19, at beginning insert

'Subject to section 61 below'.—*[Mr. Maclean.]*

Clause 61

CONSULTATION AND PUBLICITY

Lords amendment: No. 73, in page 47, line 10, leave out subsection (2) and insert—

"(2) The Secretary of State shall, in each estate in any area in respect of which he proposes to make a designation order, make arrangements for the conduct of a ballot of tenants in the estate, and no order may be made under section 60(1) above in respect of that estate unless a majority of tenants eligible to vote have approved the proposal.

(2A) For the purposes of subsection (2) above, the Secretary of State may make regulations to provide for the definition of 'tenant'."

Question, That this House doth disagree with the Lords in the said amendment, *put and agreed to.*

Amendments made to the Bill in lieu of the said Lords amendment: (c) in page 47, line 10, leave out subsection (2) and insert—

'(2) Where the Secretary of State is considering a proposal to make a designation order, he shall use his best endeavours to secure that notice of the proposal is given to all tenants of houses in the area proposed to be designated who are either secure tenants or tenants of such description as may be prescribed by regulations.

(2A) After having taken the action required by subsection (2) above, the Secretary of State shall either—

(a) make arrangements for such independent persons as appear to him to be appropriate to conduct, in such manner as seems best to them, a ballot or poll of the tenants who have been given notice of the proposal as mentioned in that subsection with a view to establishing their opinions about the proposal to make a designation order; or

(b) if it seems appropriate to him to do so, arrange for the conduct of a ballot or poll of those tenants in such manner as appears to him best suited to establish their opinions about the proposal.

(2B) If it appears from a ballot or poll conducted as mentioned in subsection (2A) above that a majority of the tenants who, on that ballot or poll, express an opinion about the proposal to make the designation order are opposed to it, the Secretary of State shall not make the order proposed.

(2C) The power to make regulations under subsection (2) above shall be exercisable by the Secretary of State by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

(d), in line 14, leave out 'or steps taken'.

(e), in line 15, leave out 'or subsection (2) above as if taken' and insert 'above as if undertaken'.—*[Mr. Maclean.]*

Lords amendments Nos. 74 and 75 agreed to.

Clause 74

TRANSFER OF LAND AND OTHER PROPERTY TO HOUSING ACTION TRUSTS

Mr. Deputy Speaker (Mr. Harold Walker): We now come to Lords amendment No. 76, with which we shall take amendment *(a)* thereto and Lords amendment No. 120.

Lords amendment: No. 76, in page 56, line 13, at end insert—

("(5A) Where an order is made under this section—

(a) payments made by a local authority as mentioned in subsection (5) above shall be prescribed expenditure for the purposes of Part VIII of the Local Government, Planning and Land Act 1980 (capital expenditure of local authorities); and

(b) unless the order otherwise provides, payments made to a local authority as mentioned in subsection (5) above shall be regarded for the purposes of the Part as sums received by the authority in respect of disposal falling within section 75(2) of that Act."

Read a Second time.

Mr. Tony Banks (Newham, North-West): I beg to move, as an amendment to the Lords amendment, after 'authorities)' in sub paragraph (a) insert

'and the amount of expenditure prescribed for an authority under the said Part shall be adjusted by the amount of any such payments'.

We shall not ask the House to divide on this amendment—*[Interruption.]* I could be pushed. However, we will save the surprise for a little later.

We do not like the Lords amendment because it suggests that if the property taken over by a HAT is given a positive value, the money that the local authority receives will be treated as a capital receipt, and currently only 20 per cent. of such receipts can be spent in any one year. The Government have issued a consultation document suggesting that in future 75 per cent. of capital

[Mr. Tony Banks]

receipts will have to be applied against debt. Any local authority, such as Newham, that is desperately trying to provide homes for the homeless, or to repair ageing or defective stock, will have to come to a halt in 1990-91 if it has any debts outstanding. Such treatment of capital receipts will inhibit the ability of local authorities to deal with problems in their stock.

Of course, that is really what the Government want. They are setting up local authorities so that they fail as landlords. The Government want to ensure that local authorities cannot carry out major repairs or improvements so that they can take away even more properties. The spiral of loss of stock without compensation and without the ability to improve remaining stock will continue, yet the best evidence shows that disrepair in the public sector stock is not the fault of the local authority landlord. The Audit Commission made that quite clear in its 1986 report.

The position is complicated because the Chancellor, in his Autumn Statement, announced a cut in housing allocation of 26 per cent. in real terms. Where will the money come from to pay a dowry to a HAT? Unless an increase in local authorities' proscribed expenditure is announced, that money will have to come from other housebuilding programmes. That is grossly unfair. If we did not have this nonsense of a procedure this afternoon, we would press the amendment to a Division.

Mr. Ridley: I can answer the hon. Gentleman briefly by telling him that amendments Nos. 76 and 120 bring payments received by a local authority on transfer of property to a HAT or under tenants' choice within the normal workings of the capital control system. As the hon. Gentleman said, under the present regime 20 per cent. of housing receipts are available to be spent each year on a declining basis. If we switch to the system described in the consultative document, authorities will be able to spend 25 per cent. and the remaining 75 per cent. will be applied to debt. There will thus be an increase from 20 to 25 per cent.

The hon. Gentleman asked about a dowry if the stock is of negative value. My officials recently discussed this with local authority associations at a meeting of the Housing Consultative Council and noted the desire of the associations that additional resources should be made available if dowries were required. It will be some months before sufficient information is available on the valuation of properties to be transferred to HATs, but I assure the hon. Gentleman and the House that we shall consider the matter sympathetically at the appropriate time.

Mr. Tony Banks: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Lords amendment No. 76 agreed to.

Lords amendments Nos. 77 to 80 agreed to.

Clause 92

RIGHT CONFERRED BY PART IV

Lords amendment: No. 81, in page 69, line 14, leave out "any freehold" and insert

"the fee simple estate in any"

Motion made, and Question proposed,

That this House doth agree with the Lords in the said amendment.—*[Mr. Maclean.]*

Mr. Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 82 to 85, amendment (a) to Lords amendment No. 85 and Lords amendment No. 127.

Mr. Simon Hughes: I wish to raise just one question about Lords amendment No. 85 and amendment (a). I have given the Minister notice of my question and I hope that he will be able to give a clear answer. The amendment probes the question whether when premises owned by a local authority comprise both residential and commercial premises—for instance, a shop with a flat above—those premises are included or excluded from the tenants' choice provisions. I have had inquiries from shopkeepers with residential premises owned by the local authority in Jamaica road in my constituency. The Lords amendent, which has been described as a technical amendment, appears to include such shops. I should be grateful to know for certain whether that is so.

Mr. Trippier: I am grateful to the hon. Gentleman for giving me notice of his question. It is possible for the freehold of a shop to be transferred under the tenants' choice provisions if it is part of a building which satisfies the conditions delineated in clause 92 and 94 or is added to the acquisition at the suggestion of the landlord under clause 97(1)(d). The effect is not brought about by new paragraph (a) in Lords amendment No. 85 and it would not be a relevant consideration whether the tenant of the shop lived in council premises.

Mr. Simon Hughes: With the leave of the House——

Mr. Deputy Speaker: Order. The hon. Gentleman cannot speak for a second time at this stage, but if he waits until I propose the question on amendment No. 85, he can seek to catch my eye.

Question put and agreed to.

Lords amendments Nos, 82 to 84 agreed to.

Clause 94

PROPERTY EXCLUDED FROM RIGHT

Lords amendment: No. 85, in page 71, line 14, at end insert—

"(1A) In the application of subsection (1) above to property falling within section 92(1)(b) above, a building or part of a building which, apart from this subsection, would not be regarded as occupied for residential purposes shall be so regarded if—

(a) it is or is intended to be occupied together with a dwelling-house and used for purposes connected with the occupation of the dwelling-house; or

(b) it is or is intended to be used for the provision of services to a dwelling-house which is comprised in a building falling within section 92(1)(a) above."

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment—*[Mr. Maclean.]*

Mr. Deputy Speaker: Does the hon. Member for Southwark and Bermondsey (Mr. Hughes) wish to move his amendment (a), leave out lines 6 to 8, paragraph (a)?

Mr. Simon Hughes: I shall be brief. The Minister has confirmed that there is a risk that people with residential and business premises——

Mr. Deputy Speaker: Order. I did not call the hon. Member to make a second speech. I was asking whether he wished to move his amendment (a) formally or to withdraw it.

Mr. Hughes: May I have permission, with the leave of the House, to respond to the Minister?

Mr. Deputy Speaker: With the leave of the House, the hon. Member may speak again.

Mr. Hughes: The Minister has confirmed what we feared. I shall not proceed with my amendment because I do not wish to detain the House by forcing a vote now. It is a sad and unfortunate additional provision in the Bill, which was not clear before, that residential and now commercial premises will be included in tenants' choice and the unsatisfactory system which it will provide. For the reasons that I have given, I shall not proceed with my amendment.

Question put and agreed to.

Lords amendments Nos. 86 to 95 agreed to.

Clause 99

TENANTS CONTINUING AS TENANTS OF LANDLORD

Lords amendment: No. 96, in page 74, line 34, leave out "may" and insert "shall"

Mr. Trippier: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take the following: Lords amendments Nos. 97 to 102 and 106 to 109.

Lords amendment: No. 111, in page 76, line 13, leave out from "if" to "exceeds" in line 14 and insert

"in response to the consultation under section 101 above,—

(a) less than 50 per cent. of the tenants to whom that section applies have given notice of their wishes in such manner as may be prescribed; or

(b) the number of tenants to whom that section applies who have given notice in that manner of their wish to continue as tenants of the landlord"

Amendment (b) thereto, at end, insert—

'(aa) the number of tenants to whom that section applies who have given notice in that manner of their wish to become tenants of the applicant is less than 50 per cent. of the total number of tenants to whom that section applies; or.

Amendment (c) thereto, at end, insert—

'(aa) 50 per cent. or fewer of those eligible to vote in the consultation process under that section have given notice of their wish to transfer to the applicant; or'

Amendment (d) thereto, at end, insert—

'(aa) 50 per cent. or fewer of those voting in the consultation process under that section have given notice of their wish to transfer to the applicant; or'

Lords amendment No. 112, in page 76, line 15, at end insert—

"(2A) In any case where a tenancy is held by two or more persons jointly, those persons shall be regarded as a single tenant for the purposes of subsection (2) above and, accordingly, any notice given in response to the consultation under section 101 above shall be of no effect for the purposes of subsection (2) above unless it is given by or on behalf of all the joint tenants."

Amendment (a) thereto, leave out from 'jointly,' to end, and insert

'each of those persons shall be regarded as a qualifying tenant for the purposes of subsection (2) above.'.

Lords amendments Nos. 113 and 115.

Mr. Trippier: All the amendments are concerned with the interrelated questions of entitlement to consultation under clause 101, how votes are registered in the majority calculation under clause 102 and the provisions for excluding houses and leasing-back flats under clause 99.

Lords amendment No. 96 provides that my right hon. Friend the Secretary of State "shall" rather than "may" make regulations under clause 99 about exclusions and lease-back. There was never, in practice, any doubt that he would.

Lords amendment No. 108 was tabled by the Opposition in another place and accepted there on the Government's advice. It clarifies—as was virtually in all circumstances already the case—the point that a qualifying tenant, to be entitled to vote, must still occupy during the consultation period, under clause 101, a dwelling that he occupied on the date when the application was served.

Lords amendment No. 111 was tabled by my noble Friend the Earl of Caithness in another place. It follows an arrangement proposed earlier by the Opposition there. It provides that an applicant may not proceed unless at least 50 per cent. of those eligible to vote do so one way or the other. I hope that this additional guarantee against the outcome of an application being decided by apathy will be welcomed by hon. Members on both sides of the House.

In practice, we believe that there will be great tenant interest in the opportunities offered by tenants' choice and that this turnout figure will be met in all cases where there is a good prospect of a successful transfer. It also removes a possible anomaly by ensuring that "no" votes cast by long leaseholders count towards the blocking majority required under clause 102 if the application is to be prevented from proceeding.

3 pm

Amendment (a) to Lords amendment No. 111 would set the minimum turnout required for a transfer at not 50 per cent. but 100 per cent. That is unreasonable, not least because the 50 per cent. figure came originally from an amendment moved by the noble Friends of the hon. Member for Southwark and Bermondsey (Mr. Hughes) in the other place. I disagree with it 100 per cent.

Amendment No. 112 clarifies that joint tenants will have one vote, which must be cast jointly. This is the right arrangement because qualifying tenants' votes, as well as contributing collectively to deciding the outcome of the application, will also determine individually whether their home stays with the existing landlord or transfers to the applicant. Families and households will decide which way their shared decision should go. The same decision is made by almost every owner-occupied household at some time or another. Because of the effect on individual tenancies, the separate voting entitlement proposed for joint tenants in amendment (a) is not practicable.

The remaining Lords amendments—Nos. 97 to 102, 106 and 107, 109, 113 and 115—put the Secretary of State's powers to prescribe descriptions of tenants for consultation under clause 101, and leaseback under clause 99, into a form which allows the links between the two processes to be completely and satisfactorily followed through. They will, for example, allow him to ensure that commercial tenants are entitled to consultation under clause 101 on a similar basis to long leaseholders. They will allow him to ensure that successors to a qualifying tenant during the period between the relevant date and consultation get a vote. They will allow him to arrange that flats which the landlord should be able to hold on to

[Mr. Trippier]

indefinitely—old people's or handicapped people's flats exempted from the right to buy—are leased back under clause 99 as a matter of course.

Amendments (a), (b), (c) and (d) to Lords amendment No. 100 go to the heart of the issue. The amendments to Lords amendment No. 111 would all prevent an application from proceeding if less than 50 per cent. of eligible tenants voted positively to transfer. I cannot advise the House to accept the amendments. They would disturb the balance that we have carefully struck in the Bill to facilitate change for those tenants who want and need it, while providing the strongest possible safeguards for individuals.

I remind the House that the terms of approvals given by the Housing Corporation under clause 93 will require potential applicants, wherever practicable, to take part in a preliminary competition to establish initial tenant preference. My noble Friend announced in Committee in another place that the successful competitor will have to demonstrate initial "in principle" support from at least 10 per cent. of tenants before he can go ahead.

The conditions of applicant's approval will oblige them to keep tenants informed about progress with the application. When the time for formal consultation arrives, tenants will have a contractual offer of new tenancy terms from the applicant. At the same time, but quite separately, they will receive, from the independent teller, their ballot form, accompanied by comprehensive information about the process, including the consequences of voting either way or of abstaining. If any eligible tenant fails initially to vote, or returns an invalid ballot paper, the independent teller will call back and help tenants, if they wish to do so, to cast a valid vote.

When the vote is counted, we shall have taken every realistic step to ensure that tenants have known about the process, the implications of voting and not voting, the contents and status of the applicant's offer and their individual rights. A secure tenant who does not want to transfer need not change landlords against his or her will. Against that background, we believe that it is right to provide that those who, having heard all the arguments, have no feelings strong enough to vote either way, do not damage the opportunities of those who need and want change.

Mr. Soley: The Government got themselves into such a mess that they had to impose the guillotine motion. The House is having to deal with amendments in an undesirable fashion.

A number of amendments in this group, and in following groups, are desirable, but some are undesirable. I shall be speaking in favour of amendment No. 108 and the amendments to amendment No. 111. We are opposed to amendment No. 207, but in favour of amendment No. 208. For reasons that the House will understand—people outside may not understand so easily—we shall vote on some of those issues. We might support some of the associated amendments even if we vote against the others.

Having said that, this is an important group of amendments and we would have liked to spend more time on it. It deals with the scheme launched by the Government—"Pick a landlord." It should be called, "Pick a tenant." The first point—I have made it before but I shall make it again to the new Minister because he may not have heard it—is that if it is so wonderful for a tenant to be able to change landlords, why does it not apply to the private sector for non-resident landlords? Rights are supposed to be universal. I want the message to go out loud and clear that the Labour party has not been opposed to people being able to change their landlords. That has happened in Glasgow and Sheffield where local authorities have led the way.

It is important to know—I want this on the record for Conservative Members who take an interest in these matters—that under a future Labour Government tenants of non-resident private landlords will be given the ability to change their landlords. That means that all those pushed out into the private sector by this wretched Bill will have a chance to turn the decision around. That choice is denied them today. It also means that the tenants of the Rachmans and van Hoogstratens of the world will be able to go to their town hall, local housing association or housing co-operative and ask them to take over the tenancy. Subject to certain rules and regulations that need to be applied, they will have that right. Private landlords, whether they are taking over council properties or are already operating in this area, had better be aware of the implications of that if they prove to be bad landlords.

It is my judgment—it has always been the Opposition's judgment—that most people do not want to change their landlords. Most people—particularly in the public sector—are satisfied. We know from independent polls that the public sector is popular in most areas. There are areas where it is unpopular from time to time and tenants need to be given additional powers.

A landlord may make an offer for council properties. We should note that individual tenants do not say, "Will you come in?" As a group they may be able to ask a housing association to come in, but that is not what usually happens. A private organisation may take an interest in a set of properties and tell the local authority that it is interested in taking it over. The local authority will be obliged by law to provide all the information on the properties such as rent levels, rent arrears, empty properties, the cost of caretaking and so on. Only then will there be the so-called vote.

The important point is that it is not only people who abstain who are counted as being in favour of a transfer. In the other place when my noble Friends were moving amendment No. 108, it was clear that empty properties and people who had died would be included in the vote as having voted in favour of the takeover. That amendment has now been accepted and the Government, after much criticism from me, members of my party, and tenants have changed their opinion and we welcome that.

The Government talk about my hon. Friends whipping up fear and hysteria around the country. We have not done that, but the Government have. If I had been asked to organise a meeting of 200, 300 or 400 tenants on a housing issue, I would have said that I could not do it. However, as soon as the Government published the Bill and tenants became aware of its implications, not just public tenants but private tenants, they began to ask us to hold meetings. That happened in Conservative-controlled areas with non-political tenants' associations. If the Government need any evidence about that, they should ask the Association of District Councils and Lady Anson. The ADC is controlled by the Conservative party, but it

does not agree with the voting system. The National Consumer Council, hardly a Labour party organisation, described the system as, "inertia selling."

Mr. Trippier: The hon. Gentleman has referred to the meetings held throughout the country. He must be aware —I can verify this—that a considerable number of the meetings, particularly those about HATs, were attended by members of Militant and the Socialist Workers party. Is he happy to be associated with those people?

Mr. Soley: I am happy to be associated with the tenants. It was they who organised and ran the meetings, and I am 100 per cent. with them. I do not care a damn about fringe individuals from the Left or the Right, including Tory party members, attending those meetings. If they were tenants, they were welcome. It is tenants who have fought and won the battle over housing action trusts, and they will win again with our support. There are bound to be groups from the Left, Right and centre, and from no political affiliation, who will attend tenants' meetings. It is the tenants who have our support and who lead the movement against the Government's proposals.

Mr. Trippier: May I have the hon. Gentleman's assurance that in the likelihood of misleading information, from whatever source, being given to tenants in the run-up to any form of ballot, and if it is proved to his satisfaction that it is misleading, he will publicly condemn such literature? Yes or no?

Mr. Soley: No problem. The Minister is right to say that deliberately misleading information has been produced. That has been done at the taxpayer's expense and distributed by the Department of the Environment. I quote from the leaflet, "Government Proposals for Housing: Tenants' Choice"—and that is misleading in its own right:

"Each tenant who was eligible to vote would have to decide whether to vote 'yes', vote 'no' or abstain. It would be very important for you to consider fully and carefully all the arguments for and against a transfer. There would be plenty of time for this. But once you had decided to transfer, you would not be able to change your mind."

Any tenant reading that paragraph would believe that he had three choices—that he could vote yes, no or abstain. That is a lie paid for by the taxpayer.

It is a lie because if one abstains, one is counted as voting yes. The National Consumer Council describes that as inertia selling. I give the Minister this opportunity. He wants me to condemn misleading information; will he join me in condemning that leaflet and say that he will withdraw it, also ensuring that a new leaflet is distributed making it explicit that if a tenant abstains from voting, he will be counted as having voted in favour? Yes or no?

Mr. Trippier: What is said in the leaflet is correct. I am prepared to say on behalf of the Government that if at any stage misleading information is given to tenants, and it can be proved by the hon. Gentleman that it is misleading, certainly I shall either publicly apologise or correct it. I put to the hon. Gentleman again a question that I asked of him a few moments ago. If it can be proved that misleading information, on whatever system, has been given to tenants, will he publicly denounce it?

Mr. Soley: I have said yes to that already—[HON. MEMBERS: "Oh."] Yes, I did. It was on the record before and I shall put it on the record again now.

The Minister asked me to prove the existence of misleading information. Does he accept that the National Consumer Council agrees with me that the system proposed can be described as inertia selling and that it has stated that publicly? Does he also recognise that inertia selling is not only frowned upon but is in certain circumstances, illegal? In view of the offer that the Minister has just put to me, will he acknowledge the proof provided by the National Consumer Council that the leaflet is misleading? Will he withdraw it and replace it with a clear statement that if a tenant abstains, he will be counted as having voted yes? Will the Minister give a direct answer to that question?

Mr. Trippier: I do not accept that that is a lie.

Mr. Soley: But then there is the opinion of the National Consumer Council. Will the Minister pay attention before the civil servants trouble him? He has the whole quote before him. He is on the spot now and knows that he is in difficulty. He says that he wants to get rid of misleading information, but the leaflet does not say that if a tenant abstains, he will be deemed to have voted yes. The National Consumer Council's view is that such is inertia selling. That is the independent proof for which the Minister asked. Will he withdraw the leaflet? Why should the taxpayer pay for a lie put out by the Government?

3.15 pm

Mr. Trippier: As far as I am aware the hon. Gentleman is quoting from the leaflet. It is on the record, he has referred to it and he can read it again in *Hansard*. On page 8 there is a question:

"Could my home be transferred over my head?"

To which the answer is:

"No. Tenants who voted 'yes', or who abstained, would become tenants of the new landlord."

Mr. Soley: Precisely. That is what the National Consumer—*[Interruption.]* The Minister is trying very hard to get out of a hole. I make this offer to him. He should go to the National Consumer Council and take its advice on the wording. The Minister's example appears on the following page. The previous page refers to the voting system——

Mr. Trippier: No.

Mr. Soley: Will the Minister stop interrupting and muttering into his chin and listen for a moment. The position is clear. The National Consumer Council, the Association of District Councils, which is controlled by the Conservative party, and every organisation outside the House agree with me that this information is misleading. I say that it is a lie. The Minister knows what is on the page. He is aware that on the following page it states:

"Could my home be transferred over my head?"

To which the answer is, "No". However, it can be transferred in certain circumstances. The real answer to that question is yes and I will deal anon with the circumstances in which that can happen if I have the time. The answer in the document reads:

"No. Tenants who voted 'yes', or who abstained, would become tenants of the new landlord. But nobody who had voted against the transfer would be transferred against their wishes."

The part that matters appears under the heading:

"How would I decide whether I wanted to vote to transfer?"

[Mr. Soley]

We should remember that the other quote is from another part of the document—and that is the part which the National Consumer Council, the Conservative-controlled ADC and everyone else claim is inertia selling. It is misleading and the independent proof comes from the National Consumer Council. The biased proof comes from the Conservative-controlled ADC. Many other independent and political groups say that it is dishonest and paid for by the taxpayer.

The Minister has done enough wriggling now. The answer is clear. He is not prepared to withdraw or alter misleading information.

Mr. Trippier: Will the hon. Gentleman give way?

Mr. Soley: I will give way only if the Minister will put it on the record that he will withdraw the leaflet——

Mr. Trippier *rose*——

Mr. Speaker: Order. One hon. Member at a time.

Mr. Trippier: How on earth could I be expected to put right what is clear to everyone inside and outside the House? It is absolutely clear. The hon. Gentleman is on a very weak point. There is no way in which one could misinterpret the words. I will read them out again so that they are on the record a third time. Why on earth does the hon. Gentleman think we included them?

"Could my home be transferred over my head?

No. Tenants who voted 'yes', or who abstained, would become tenants of the new landlord."

It is crystal clear.

Mr. Soley: I have two points. Let me try to persuade the Minister. First, will the Minister leave this House and ask the National Consumer Council—which I presume he accepts is an independent body—and the Conservative-controlled Association of District Councils whether they accept that the wording is misleading? They say it is and I believe that they are right.

On the next page there is a question:

"Could my home be transferred over my head?"

The leaflet answers emphatically, "No", adding:

"nobody who had voted against the transfer would be transferred against their wishes."

That is incorrect.

Again I challenge the Minister. The leaflet ignores the position of licensees who will be denied any right to vote, including people allocated homes on an estate subject to an allocation, who could well have their homes transferred over their heads without having any say in the matter. It is therefore misleading—*[Interruption.]* I wish that the Minister would stop getting so agitated and would stay quiet for a minute. Will the Minister say that he understands my point and is prepared to go to the National Consumer Council and the Conservative-controlled ADC and take their advice. Will he do that?

The Minister will not change it. As we have heard, he is not prepared to withdraw misleading information which is in fact a lie, paid for by the taxpayer.

Mr. Trippier *rose*——

Mr. Soley: I shall not give way to the Minister any more. We have had enough prevarication and avoidance. The implication is clear. If the Minister will not take the advice of the ADC or the MCC, that tells us what we already know. As I said to the Secretary of State the other night, the Minister and the Government have managed to create unnecessary terror and fear among many tenants, particularly elderly people who remember the Rachmans of old. Why should they be placed in that position?

If Conservative-controlled organisations such as the ADC arrange meetings that conclude that the information is misleading, am I to disagree when I know that they are right?

Mr. Trippier *rose*——

Mr. Soley: No, no, the Minister must sit down. He is not prepared to intervene with an admission that he will not follow the example of independent organisations. It is incredibly dishonest of him to argue, as he has, that tenants will be given a choice. At best, this is a one-way ticket to a private landlord.

When challenged, the Government began defending their action by saying that if someone did not bother to vote it would mean that they did not mind going to a new landlord. That was the previous Minister's defence. Then the Government got into trouble. I gave an example—which, incidentally, would still apply—of a service man fighting in the Falklands. Let us suppose that the Government had imposed this new system. Even with the Lords amendments, if the service man was in the Falklands for three months—unless he found time to stop the battle for a few minutes, consider the available information and then vote—he would come back to find his home transferred over his head.

Does any Conservative Member wish to defend that? The Government are all for defending the troops in the Falklands while they are working to get the Government out of a hole created because they cannot run a defence policy. At the same time the Government are prepared to take homes from service men while they are clearing up the mess.

Mr. Robert G. Hughes (Harrow, West): I am sure that the fighting forces will be pleased at the first sign of support that they have ever had from the hon. Gentleman. But he is basing his claim on what I would call a Powellite line of argument. The line of argument hangs together, but to accept it we must accept the basis of the argument, which is untrue.

The hon. Gentleman is not being forthcoming or honest about the time that the process will take: it will take a long time. He and his political friends have not been telling the truth about that to council tenants up and down the country.

Mr. Soley: In fact it will not take a very long time, but I understand the hon. Gentleman's point.

This is what we shall do. The next time that General Galtieri invades we shall ask him to make sure that the war lasts a short enough time for troopers to be able to vote. The point is that in this case if tenants abstain they vote "Yes", and in no other democratic system does that apply.

Having spotted that they had got into trouble, the Government then tried another line of defence. They said, "It is all right, you can stay with the council." That again was inertia selling: they did not tell tenants that they would have to pay the rent set by the new landlord, despite remaining council tenants. They did not tell them that they would have to pay all the service charges set by the new

landlord. They did not say what would happen if a local authority had not transferred all its stock, and wanted to transfer that as well. And the Government wonder why tenants are afraid.

The draft industrial relations code about which the Government are now talking insists on a much larger vote even on a work-to-rule. Workers do not even have to go on strike for the Government to want a 70 per cent. vote. It is different then, is it not? What about abstentions in those circumstances?

The Secretary of State is determined to push tenants into the private sector. The Peat Marwick report says so. The previous Minister also said so in Parliament. The Secretary of State says that he wants all local authorities to give up council housing. However, the Government have seriously misjudged the popularity of councils and councillors. Although tenants often rightly criticise their councils and councillors, they know that they can elect them. They also know that they cannot elect or remove a Mr. van Hoogstraten or a Mr. Rachman. That is what they are afraid of. That is why the Government have whipped up so much fear and hysteria.

Such an important debate should never have taken place under a guillotine motion, but what I say in this Chamber is not nearly so important as what tenants, both private and public, feel about the Bill. At the end of the day they will decide. The Government have politicised tenants in a way that they could never have dreamt was possible.

Mr. Trippier: I think that I can be forgiven for smiling wryly——

Mr. Speaker: The Minister needs the leave of the House to speak again.

Mr. Soley: On a point of order, Mr. Speaker. The Minister spoke for a long time and persistently interrupted me while I spoke. A number of Back Benchers on both sides of the House would like the opportunity to speak.

Mr. Speaker: Does the Minister have the leave of the House to speak again?

Hon. Members: No.

Mr. Simon Hughes: The voting system that the Government are trying to railroad through Parliament is far worse than the legislation on which it is allegedly based, the Local Government, Planning and Land Act 1980. Under this system, it is clear that if tenants do not vote it will be presumed that they are in favour of being transferred to a private landlord. The non-vote will be counted as a "Yes" vote. I have asked the Secretary of State questions and I have given him a list of those that so far remain unanswered.

Even the Prime Minister did not realise the draconian nature of the measure that her Ministers in the Department of the Environment were proposing. She said on 23 June this year that if the majority of tenants agree, their tenancies can be transferred. I told the right hon. Lady that that was not what the Bill said. She had no answer. Eventually, after two letters to Downing street, she replied in the middle of August. She said:

"Tenants who choose to transfer, whether they express that choice explicitly by a vote in favour, or implicitly through informed acquiescence, will indeed have agreed to the transfer."

From the highest authority it is now abundantly clear that, according to the Government, the majority who must agree is made up not just of those who vote "Yes"—and there need be none of those—but of those who do not vote at all. The Prime Minister claims that she is the senior democratic statesperson in the world, but she now says that voting does not matter: that what matters is that views should be expressed "implicitly through informed acquiescence."

What is it that makes a system of voting by silence, by informed acquiescence, better than a system under which people are asked whether they want to vote "Yes' or "No"? The Government have made it clear in the case of trade unions that even a vote of 70 per cent. in favour may not be adequately representative.

I am a lawyer. It is a principle of English law that silence normally means no. Halsbury's "Laws of England" make it clear that one cannot bind an offeree as an offeror against the latter's will by expressly stipulating that if the offeree does nothing he will be bound to a contract. Does the voting system that the Bill opposes break the principle that silence in law normally means no? If it does not break that principle the Minister and the Secretary of State have not yet explained why it does not do so.

A distorted, biased voting system is the plainest evidence that the Government are not concerned about tenants' choice. Their primary purpose in introducing the Bill is not that tenants should choose, but that council estates should be demunicipalised and privatised. Tenants are seen as a barrier to the Government's will. The role of tenants is to see whether they can get enough people together to stop the Government's steamroller rolling on. The Bill is not concerned with tenants' choice, tenant initiative or tenant freedom. Today is a sad day. The Bill represented an opportunity to maximise freedom for tenants to get together to improve their position. Instead, the bill is the product of a Government who put theories about private being good and public being bad before the minds, hearts and aspirations of people throughout the land.

We would have chosen to vote on amendment *(a)* to Lords amendment No. 111, but because of procedural technicalities that will not be possible. Because we have no choice as a result of a guillotine being in place, we shall vote on Lords amendment No. 96. We shall oppose the Government to show that some hon. Members still understand democracy. We will show them that some hon. Members will fight for democracy and will resist democracy being perverted by a Government who are in power on a minority of votes and who clearly do not understand what democracy is about.

When the House votes it decides by a majority, but when tenants vote they will have a fixed system. The sooner the Government learn that they cannot fool tenants, the better it will be.

3.30 pm

Mr. Robert G. Hughes: I have some sympathy with the hon. Member for Southwark and Bermondsey (Mr. Hughes) in wanting some answers from the Minister. The hon. Member for Hammersmith (Mr. Soley) said that certain things should be on the record. It should be on the record, therefore, that the Minister is unable to answer this debate because the Labour party refuses to allow him to speak again.

Mr. Trippier: I am most grateful to my hon. Friend for the courtesy that he has extended to me, which is in stark contrast to that which was not extended to me by the hon. Member for Hammersmith (Mr. Soley). Does he agree that the by-election result in Govan is relevant to what we are discussing today as we are giving——

Mr. Speaker: Order. We have only three more minutes, and I do not think that we should go into that subject.

Mr. Hughes: I agree with the thrust of what my hon. Friend said. We have such strong opposition to this group of amendments because councils, especially Labour-controlled councils, will in future be exposed to competition and the prospect of another landlord taking over their estates.

The hon. Member for Hammersmith is keen to tell us that the Bill is already a failure, but it is not yet on the statute book. He tells us that it cannot work in various respects. He should give it some time to operate before he comes to such a conclusion.

Mr. Winnick: Will the hon. Gentleman give way?

Mr. Hughes: Certainly not.

The London borough of Lambeth has already said that it must get its act together and improve its services to its tenants or they will vote with their feet. That is what the Labour party is so afraid of. It recognises that tenants will vote with their feet and——

Mr. Paul Boateng (Brent, South) *rose*——

Mr. Winnick *rose*——

Mr. Speaker: Order. If the hon. Member does not wish to give way, hon. Members must resume their seats.

Mr. Hughes: Opposition Members realise that once council tenants know that they can get away from the slum landlords that Labour councils represent, they will take that opportunity.

Mr. Soley *rose*——

Mr. Hughes: I do not have any time. For the hon. Member for Hammersmith——

Several Hon. Members *rose*——

Mr. Speaker: Order.

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Speaker. Would you not say that it is a gross abuse of the House for an hon. Member who voted in favour of the guillotine motion and who has not been here most of the afternoon to try to——

Mr. Speaker: Order. That is not a point of order. Mr. Hughes.

Mr. Hughes: I think that the hon. Member for Newham, North-West (Mr. Banks) needs an eyesight test.

Mr. Soley: Will the hon. Gentleman give way?

Mr. Hughes: No, I am not giving way.

The reality is that the Labour party does not like this measure. That is understandable because it is going to lose control of its estates.

Mr. Rhodri Morgan (Cardiff, West): Will the hon. Gentleman give way?

Mr. Hughes: I am certainly not giving way.

I wish to put on record—as this is an afternoon for getting things on the record—that during the process of consultation——

It being six hours after the commencement of proceedings on the motion relating to the School Boards (Scotland) Bill and Housing Bill (Allocation of Time), MR. SPEAKER *proceeded, pursuant to the order this day, to put the Question already proposed from the Chair.*

The House divided: Ayes 224, Noes 50.

Division No. 492] **[3.35 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Gregory, Conal
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heddle, John
Higgins, Rt Hon Terence L.
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul

Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Michael Neubert and
Mr. David Heathcoat-Amory.

NOES

Allen, Graham
Anderson, Donald
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Battle, John
Beith, A. J.
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Cohen, Harry
Cryer, Bob
Cummings, John
Cunningham, Dr John
Dixon, Don
Dunwoody, Hon Mrs Gwyneth
Fearn, Ronald
Fyfe, Maria
Galloway, George
Harman, Ms Harriet
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Howells, Geraint
Hughes, Simon *(Southwark)*
Ingram, Adam
Kinnock, Rt Hon Neil
Livingstone, Ken
Livsey, Richard
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
Mahon, Mrs Alice
Martlew, Eric
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Ruddock, Joan
Shore, Rt Hon Peter
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Winnick, David
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Frank Cook.

Question accordingly agreed to.

MR. SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour.*

Mr. Speaker: I inform the House that amendments Nos. 207 and 208 involve privilege.

Lords amendment: No. 207, in page 118, line 30, at end insert—

"and with that approval the Secretary of State may undertake to meet any liabilities arising in respect of such pensions, allowances or gratuities after the dissolution of the trust"

Question put forthwith, That this House doth agree with the Lords in the said amendment:—

The House divided: Ayes 215, Noes 46.

Division No. 493] **[3.48 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
Macfarlane, Sir Neil
Maclean, David

McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Michael Neubert and
Mr. John M. Taylor

NOES

Allen, Graham
Anderson, Donald
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Battle, John
Beith, A. J.
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Brown, Ron *(Edinburgh Leith)*
Cohen, Harry
Cryer, Bob
Cummings, John
Cunningham, Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Dunwoody, Hon Mrs Gwyneth
Galloway, George
Harman, Ms Harriet
Holland, Stuart
Howells, Geraint
Hughes, Simon *(Southwark)*
Ingram, Adam
Kinnock, Rt Hon Neil
Livingstone, Ken
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
Mahon, Mrs Alice
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Ruddock, Joan
Shore, Rt Hon Peter
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Winnick, David
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Frank Cook.

Question accordingly agreed to.

Lords amendments Nos. 206 and 207 agreed to.—[Special entry.]

Question put, That this House doth agree with the Lords in Lords amendments Nos. 97 to 206, 209 to 224, 228, 225 to 227 and 229 to 273:

The House divided: Ayes 199, Noes 37.

Division No. 496] **[4.01 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Blackburn, Dr John G.
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorst, John
Greenway, Harry *(Ealing N)*
Gummer, Rt Hon John Selwyn
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
Maclean, David
McLoughlin, Patrick
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim

Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Michael Neubert and
Mr. Alan Howarth.

NOES

Allen, Graham
Anderson, Donald
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Battle, John
Beith, A. J.
Bermingham, Gerald
Boateng, Paul
Cohen, Harry
Cryer, Bob
Cunningham, Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Dunwoody, Hon Mrs Gwyneth
Harman, Ms Harriet
Holland, Stuart
Howells, Geraint
Hughes, Simon *(Southwark)*
Ingram, Adam
Kinnock, Rt Hon Neil
McAvoy, Thomas
Mahon, Mrs Alice
Martlew, Eric
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Roberts, Allan *(Bootle)*
Ruddock, Joan
Shore, Rt Hon Peter
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Winnick, David
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Frank Cook.

Question accordingly agreed to.

Lords amendment No. 205 agreed to.

Motion made, and Question put forthwith, That consequential amendments (b) to (d) be made to the Bill. —[*Mr. Trippier.*]

The House divided: Ayes 187, Noes 5.

Division No. 495] **[4.13 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Blackburn, Dr John G.
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Freeman, Roger
French, Douglas
Gale, Roger
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorst, John
Greenway, Harry *(Ealing N)*
Gummer, Rt Hon John Selwyn
Hanley, Jeremy
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
Maclean, David
McLoughlin, Patrick
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wiggin, Jerry
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Michael Neubert and
Mr. Alan Howarth.

NOES

Allen, Graham
Cohen, Harry
Cook, Frank *(Stockton N)*
Davies, Rt Hon Denzil *(Llanelli)*
Skinner, Dennis

Tellers for the Noes:
Mr. Tony Banks and
Mr. John Battle.

Question accordingly agreed to.

Mr. Simon Hughes: On a point of order, Mr. Deputy Speaker. Because of the guillotine, we have obviously had a limited number of opportunities to vote. Two amendments were proposed to the Lords amendments by the Opposition, and those were dealt with in Divisions Nos. 482 and 483. The results were Ayes 68, Noes 169 and Ayes 65, Noes 159, respectively. May we assume that, with the Government's policy in the Housing Bill, as in both cases the Noes did not constitute a majority of hon. Members in this House, the Ayes have it and will continue to have it in future?

SITTINGS OF THE HOUSE

Resolved,

That this House do meet on Tuesday 15th November at half-past Nine o'clock.—*[Mr. David Hunt.]*

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.)

EDUCATION

That the draft Education Support Grants (Amendment) (No. 2) Regulations 1988, which were laid before this House on 19th October 1988, be approved.

CRIMINAL LAW

That the draft Criminal Justice Act 1988 (Offensive Weapons) Order 1988, which was laid before this House on 19th October 1988, be approved.—*[Mr. David Hunt.]*

Question agreed to.

India (Sikh Community)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. David Hunt.]*

4.25 pm

Mr. Terry Dicks (Hayes and Harlington): I wish to take this opportunity to bring to the attention of the House the plight of the Sikhs in India, an issue which, for some reason best known to the Government, has not been raised in the Chamber before. That omission by the Government could well be due to embarrassment, to say the least.

Just before independence the Constituent Assembly in India agreed a package of proposals called the Objectives Resolution which guaranteed the autonomous status of Sikhs in the Punjab. The British Government accepted the validity of the Objectives Resolution and, on the strength of that, granted India independence in 1947. Unfortunately, with the coming of independence, the guarantees given to the Sikhs were not honoured and the constitution was changed to reflect the interests of the Hindu majority.

Since then the British Government have said and done nothing over the years to correct that position, despite their direct involvement. We have continued to give aid to India as though money had gone out of fashion. Between 1978 and 1987 Britain has given about £1·6 billion in overseas aid and India has topped the league table of recipients in each of the past 10 years.

There are about 8,000 Sikhs in my constituency, the vast majority of whom are decent, hard-working people who want to live in peace with their neighbours and make a positive contribution to the community. Judging from reports that I have read of debates in the American Congress, the same is true of Sikhs who reside in the United States and of Sikhs the world over.

In India the Sikhs constitute about 2 per cent. of the population, but produce a quarter of India's gross national product. Sikh farmers account for 73 per cent. of wheat and 48 per cent. of rice produced in India. Many Sikhs have made a valuable contribution to the professions, to the military and to the Government of India.

I do not have to remind the House, especially at this time of the year, of the contribution that Sikhs have made in two world wars to defend the freedom and security of the United Kingdom. The list of decorations won by Sikh soldiers is a credit to their loyalty and devotion to our country.

Given that background, one would have thought that the Indian Government would have recognised the contribution that the Sikh community makes to the world and would treat it with the respect and understanding that it so richly deserves. Unfortunately, the opposite is the case.

While Rajiv Gandhi, the so-called leader of the world's largest democracy, struts like a bloated peacock on the international stage, condemning South Africa for its alleged abuse of human rights, he has been responsible for the murder, torture and imprisonment without trial of thousands of his fellow countrymen and he has left a great many others fearing for their lives.

Rajiv Gandhi is aware of and supports unlawful killing and widespread torture by his own security forces and the police. He is aware of and supports arbitrary arrests and prolonged detention without trial. He is also aware of and supports extrajudicial execution, which is unlawful killing

by the Government or Government-backed forces. Rajiv Gandhi is aware of and supports the killing of political activists as a result of fake encounters staged by the Indian police. The most widespread reports of these killings and other atrocities come from the Punjab, one of the regions where the security forces enjoy immunity from prosecution when exercising shoot-on-sight powers—powers given to them by the Indian Government led by Rajiv Ghandi.

According to an Amnesty International report, of August this year, more than 70 young Sikhs were killed by police in fake encounters in Amritsar in the month of August last year. The Indian Government have done nothing to investigate those claims; they have simply issued blanket denials and ignored any representations made to them.

Mr. Toby Jessel (Twickenham): Will my hon. Friend give way?

Mr. Dicks: No, I will not. We all know of my hon. Friend's support for the Indian Government and their behaviour.

Mr. Jessel: On a point of order, Mr. Deputy Speaker. Is it in order for an hon. Member to attack the head of a very friendly Commonwealth country in such a manner without giving other hon. Members the right to intervene?

Mr. Deputy Speaker (Mr. Harold Walker): Order. It is contrary to our conventions to attack the head of a friendly state unreasonably, but equally no hon. Member has an obligation to give way to another.

Mr. Dicks: I shall not give way to my hon. Friend, because he supports the Indian Government and Rajiv Gandhi and the atrocities committed by the Indian Government in the name of so-called democracy.

Dozens of prisoners are reported to have died after torture in police stations, according to the review. Those most at risk of torture are political prisoners, many of whom are Sikhs. The most persistent allegations of torture of political prisoners have come from the Punjab, the home of the Sikhs, where prisoners have said that they were hung from ceilings with their hands tied behind their backs, beaten and given electric shocks. According to the Amnesty International report, those responsible for torturing prisoners are almost never brought to justice: they are allowed to continue along their evil path uninterrupted by the so-called democratic regime.

Amnesty International has also highlighted the fact that hundreds of political detainees have been held for four years under special security laws which lack basic legal safeguards. As would be expected, they include more than 300 Sikhs held in Jodhpur prison since June 1984, many of whom have been detained for non-violently expressing their political feelings.

How dare Rajiv Gandhi lecture the South African Government on human rights when evidence from Amnesty International and information received in this country by Sikhs from friends and relatives living in the Punjab show that without doubt blacks in South Africa are far more likely to have their human rights recognised by their Government than are the Sikhs by theirs. The Sikhs have to endure considerable suffering and injustice, and they do so with great dignity and courage.

The Indian Government claim that Sikh violence has been taking place in the Punjab area, and around the Golden Temple in particular. They have produced no evidence to substantiate that claim, and as entry to the Punjab is severely limited many people, including myself, doubt the truth of those claims. Most of the Sikhs with whom I have come in contact, both here and abroad, are seeking a peaceful solution to the Punjab problem and a recognition of their position by the Indian Government.

Those interested in democracy should be pressing the Indian Government to behave in a reasonable and responsible manner, while at the same time bringing pressure to bear on them to recognise the human rights violations that have taken place. Unfortunately the British Government are taking a different view. They are turning a deaf ear to the cries of Sikhs in Britain who are concerned about the suffering of friends and relatives in India, and at the same time they are turning a blind eye to reports from organisations such as Amnesty International, which provide clear evidence of that suffering.

On 31 October this year I asked my right hon. and learned Friend the Foreign Secretary whether he would make a statement on a recent report by Amnesty International entitled, "India—A review of Human Rights Violations." His answer was no. On the same day I asked him what representations he had made to the Indian Government about the alleged violation of basic human rights, as reported by Amnesty International. Again, his answer was no. I also asked whether he would publish the evidence on which he based his view that the judicial system in India protected the rights of minority groups such as the Sikhs. His answer was no. On the same day I asked whether he would receive a deputation from the Sikh community in Britain to discuss the allegation of violations of human rights in India. Again, his answer was no.

Finally, I asked whether the Foreign Secretary would use his good offices to persuade the Indian Government to grant me an entry visa to visit the Punjab and make contact with relatives and friends of my constituents. He replied that it was a matter for the Indian authorities.

Let me also bring to light an immigration case that is interesting to say the least. Until March of last year a Mr. Gunga Singh Dhillon, a Sikh with an American passport, had been allowed unfettered entry to the United Kingdom. However, when he arrived in August of last year he was prevented from entering the United Kingdom and sent back on the next available plane without being allowed access to a telephone to contact his solicitor or a Member of Parliament.

On making inquiries on behalf of Mr. Dhillon, I was told that he had been excluded for reasons of national security. I then asked what had happened between March 1987 and August 1987 to make the Home Office take this action. I was told that, even as the Member of Parliament involved, I could not be given that information. I am aware, however, as is Mr. Dhillon, that the Indian Government had brought pressure to bear on the British Government to ensure that Mr. Dhillon was not allowed to enter the United Kingdom. This gentleman—well respected in America and known to both Republican and Democrat politicians on Capitol Hill—was denied entry to this country to see his family, at the whim of the corrupt Indian Government.

On the evidence of the replies that I have received from the Foreign Office and the attitude towards Mr. Dhillon by the Home Office, it seems to me that the British Government are taking a blinkered, not to say hypocritical, view of the situation in India. Our

[Mr. Dicks]

Government have never been slow publicly to condemn South Africa whenever an allegation of the violation of human rights has been made. They have intervened personally in the case of a group of black Africans, known as the Sharpeville Six, who are awaiting execution for crimes committed in the Republic. The Government, without any evidence being available at all, were quick to condemn the Iraqi Government for allegedly gassing the Kurds living in the north of Iraq. Even the Prime Minister, on her recent visit to Poland, spoke out in favour of freedom and justice for the people of that country.

Why, therefore, when it comes to India, does the British Government's attitude change dramatically? The evidence suggesting widespread violation of human rights is overwhelming. The man who is responsible for implementing that policy, the Minister of Home Affairs, Mr. Buta Singh, sought a bribe from me when I last visited India before he would respond to my request for information regarding a constituent of mine, Mrs. Kuldip Kaur, who had been wrongly imprisoned in India. That man asked me face to face for a bribe before he would take any action on my behalf.

Mr. Jessel: On a point of order, Mr. Deputy Speaker. Is it in order for a Member of Parliament to take advantage of parliamentary privilege to accuse a Minister in the Government of a friendly Commonwealth country of a corrupt act when that Minister is not here to reply for himself? Is that not grossly improper and an abuse of the House, and is it in order?

Mr. Deputy Speaker (Mr. Harold Walker): I doubt whether it is out of order, but it is hardly consistent with the conventions of the House. I ask the hon. Member for Hayes and Harlington (Mr. Dicks) to bear in mind that the 20th edition of "Erskine May," on page 431, states:

> "Opprobrious reflections must not be cast in debate on sovereigns and rulers over, or governments of, independent Commonwealth territories or countries in amity with Her Majesty, or their representatives in this country."

I hope that the hon. Member will bear that reference in mind.

Mr. Dicks: I thank you, Mr. Deputy Speaker, for that ruling, but I remind you that when I made the same claim in December 1986 during an Adjournment debate I was neither stopped nor corrected. I made the same allegation, because it is true. I was there; I know that it happened. Mr. Buta Singh then had the opportunity to take whatever action he wanted against me, but he did not do so. My hon. Friend the Member for Twickenham (Mr. Jessel) bleeds too much for the Indian Government. He should be more objective and take off his blinkers. He would then understand and appreciate the problems that the Sikhs face in India.

There is overwhelming evidence from many quarters that the Sikhs are being persecuted by the Indian Government in general and particularly at the hands of the Prime Minister, Rajiv Gandhi. Only a few days ago his Minister of Commerce called at No. 10 Downing street. Among other things, I understand that he asked whether the policy that is about to be introduced to control the appearance on television of IRA terrorists could be extended to include members of the Sikh community living in Britain.

Given that background, there can be no justification whatsoever for the British Government's continued support of the Indian regime. If they are to continue to comment on human rights issues around the world, they have a duty loudly and clearly to condemn the abuse of human rights and the persecution of the Sikhs in India. A foreign policy based on selectivity, hypocrisy and double standards may be good for the Foreign Office, but it is not good for the British Government or the British people. It will be seen by many as yet another example of the Foreign Office putting its own interests before those of Britain.

It is not with any pleasure that I speak on this subject today. I do so because I believe that Sikh people in India are being persecuted by the Government there. The Sikh community in my constituency and elsewhere in the United Kingdom are worried about relatives and friends in India. They can get no access to them, and their Members of Parliament cannot in most cases.

The fault lies at the feet of the British Government of 1947 who accepted the word of the Constituent Assembly that Sikhs would be protected in the new constitution. The moment that that constitution came into operation after independence, the Indian Government ignored their obligations regarding Sikhs and their autonomy in their own state of the Punjab and rewrote the constitution to protect the interests of the Hindu majority. That was an appalling thing to do, but the British Government sat back and made no protest.

It is surprising that I have to raise this important matter on the Adjournment because the British Government—of the party to which I belong—have flatly refused to answer my questions fully and frankly. They have flatly refused to condemn the Indian Government, although they condemn the South African Government. The Government have also refused to bring the issue before the House and the British people. The Government meet and greet members of the Indian Government all over the place. They recognise the so-called status of Rajiv Gandhi as an international politician of repute—a man who goes with a begging bowl looking for aid wherever he can get it, but who has given the Sandinista regime $10·4 million of aid. How can a country which demands aid from us afford to give aid to an evil Left-wing regime in Central America? We must have answers to these questions.

The Indian security services operate within the Indian community in Britain, but the Government are doing nothing about it. The Sikhs in Britain need their families and friends in India to be protected. They need Government support in their effort to get justice in the Punjab. They are not all terrorists, if, indeed, any of them are. Most are decent, hard-working people who love this country. Indeed, they love the British Government—the Tory Government, in particular—and have a high regard for our Prime Minister. Why are their views not heard? Why do the Government not respond to them? Why do we continue to bend the knee to this evil Government in India?

4.42 pm

The Minister of State, Foreign and Commonwealth Affairs (Mr. William Waldegrave): My hon. Friend the Member for Hayes and Harlington (Mr. Dicks) has spoken in his characteristically robust way and I have listened to him with attention. The Foreign Office has a broad back. It can even put up with the criticisms of Mr.

David Hart in *The Times*—that great commentator on international affairs—but I was a little struck with my hon. Friend's accusation of hypocrisy. I know that my hon. Friend takes a robust view about, for example, terrorism in other forms, and quite rightly. He is robust about terrorism in Northern Ireland. I believe that he is robust in his belief that the Iraqi Government have a legitimate interest in putting down a minority rebellion among Kurdish resistance fighters or terrorists—it depends which side of the argument one takes—in northern Iraq.

The perspective with which one approaches these issues is crucial. My hon. Friend rightly said that our relationship with India is old and close and that there is a burden of history on it. It is reinforced by many contacts, the greatest of which is the presence in the United Kingdom of 800,000 people of Indian origin who have made their home here. Among them, the Sikhs are the largest group and total more than 300,000. I entirely agree with my hon. Friend that they have made a valued contribution to many areas of our national life. They are hard-working, loyal and excellent people. I have some in my constituency and share my hon. Friend's view. I share their concern about the terrible and tragic events that are taking place in the Punjab.

We should, however, remember one fact. Sikhs have played a distinguished part in the life of independent India and have continued to be represented, I believe, out of all proportion to their number, among India's leading politicians, public servants, soldiers and business men. As my hon. Friend said, the vast majority of Indian Sikhs are law-abiding citizens. But a small minority, which had never commanded a majority of democratic votes in the Sikhs' home state of the Punjab, has sought to obtain by violence what it clearly could not hope to secure by a democratic campaign—the dismemberment of the state of India.

The Sikh population represents about 60 per cent. of the population in the Punjab and is scattered elsewhere thoughout India. As my hon. Friend said, the Punjab is the richest state in India, thanks to the energy of its—mainly Sikh—farmers, the extensive irrigation works undertaken originally under British administration and the "green revolution" achieved more recently.

So it is not true to say—and my hon. Friend did not say it in his speech, but it has been said—that Sikhs in general are underprivileged or second-class citizens. However there are those in the Sikh community who have become very concerned that the processes of modernisation have damaged the traditional Sikh way of life. They have expressed concern—which may be legitimate—over access to water and other farming resources. There is also the grievance about the promise made in the 1960s to give the Punjab exclusive control of Chandigarh—the new city built when Punjab was divided in 1966. For all I know—and my hon. Friend is far more learned than I am in these matters—they may be legitimate grievances, but I know that he will want to join me in urging that they must be pursued by legitimate democratic means.

The main Sikh political party—Akali Dal—has long pursued some of those concerns with legitimate campaigning. That is fair enough, but my hon. Friend recognises that there is a minority who have taken the other line and have pursued the route of violence. Indeed, the casualties have been very great. I am advised that Sikh extremists have killed more than 2,400 people so far this year and more are dying every day. There have been indiscriminate bomb attacks and a wide variety of the terrorist techniques with which I fear we are all too familiar in the modern world. There have been further attacks in recent weeks. Bombs killed 21 people on 1 November, and another bomb attack on 4 November left 27 dead.

The Indian Government have tried to respond to those activities. And I am sure that my hon. Friend, faced with the much smaller scale of terrorism in Northern Ireland does not doubt that the British Government are right to pursue vigorous means to supress that terrorism.

Clearly, the allegations to which my hon. Friend has referred, which have come from Amnesty International and from representatives of some of the Sikh community, must be properly investigated. I challenge what my hon. Friend said. Whenever we believe and have evidence that human rights are at risk, the British Government say so, but we must try to judge in our relationships with other countries which other countries have a system of law. In its most recent report, Amnesty International refers to the fact that there are legal remedies in India, although they may be slow—as they may be slow in Britain and in other countries where the rule of law is in place—there have been cases where allegations have been properly investigated and action taken against the perpetrators. That must colour our judgment of the situation. There is democratic Government and the rule of law in India, so the situation there is quite different from that in many countries in the world where neither exists.

The activities of the terrorists are not confined to India. In October 1985 a plot was uncovered to assassinate Prime Minister Gandhi during his visit to the United Kingdom. A moderate Sikh leader, Tarsem Singh Tor, was murdered in January 1986; another, Darshan Das Vasdev, was shot dead in November 1987; and three other attempts were made or plotted on the lives of leading Sikh moderates. In all those cases, those responsible have been tried and convicted or charges have been brought. It is intolerable that people living in this country and enjoying the liberties of British citizenship should abuse those liberties to promote a violent and anti-democratic threat to India.

Faced by the fact that we share a terrorist threat against our people, we have been closely in touch with the Indian Government during the past few days to find ways of strengthening our co-operation to combat the activities of extremists within the framework of our laws. We continue actively to look for ways of working still more closely together. That co-operation is something to which the Indian Government understandably attach great importance, and it has assumed a central place in the political relations between the two countries.

But legal or administrative measures are not what will, in the end, defeat extremism in India or anywhere else. What is necessary is that the extremists should be shunned by society at large and should no longer be able to call on the tolerance or passive acquiescence of people who do not share their extremist beliefs. I agree with my hon. Friend that the vast majority of Sikhs in Britain are moderate, decent people.

The extremists number perhaps a few hundred at most, but organisations are active in the Sikh community whose main purpose is to offer help and support to the extremists in India. Those organisations seem to be able to draw on the moral and financial support of many Sikhs in Britain who do not share that objective. I call on all decent Sikhs in Britain to ensure, before they give their support to an

[Mr. William Waldegrave]

organisation, that they are clear about its intention. We have had to fight a similar campaign for many years among decent Americans of Irish extraction, who have often fallen into the same trap in relation to the provisional IRA. Unless they are perfectly certain that the organisation in question has no truck with violence, they should have nothing to do with it, and those who give even the most passive support to extremism must bear some share of the condemnation for the misery of the Punjab and the suffering which that conflict has brought to India as a whole.

I have already implied that it is perfectly possible that in a bitter terrorist war the servants of any Government of any country may from time to time abuse their authority. What matters is the action that that Government take to bring to book those who have broken the law. In response to earlier reports by Amnesty, the Government of India said that specific charges of alleged violence are thoroughly investigated, and where such charges have been proved exemplary action has been taken against the guilty.

India is a democratic and independent state. Its constitution formally prohibits discrimination on grounds of religion or race. Its people are subject to the rule of law —a rule of law to which Britain contributed more than a little. Remedies are available within the Indian legal system, as Amnesty itself acknowledges. In its latest report, Amnesty says:

"National and local bodies in India, including the Supreme Court and high courts in the various states, do important work to protect . . . fundamental rights."

Amnesty also recognises the important role played by civil liberties groups and by India's free press.

Mr. Dicks: Will my hon. Friend bear in mind the case of my constituent, Mrs. Kuldip Kaur, who two years ago was imprisoned on no grounds for eight months, and was then released and told that she was completely innocent. I have written twice to and telephoned the Indian High Commission asking whether it will consider paying compensation to that lady, who has lost eight months of her life and is now suffering mentally, as is her family. Will he take up this case with the Indian Government, bearing in mind what he said about the Indian judicial system, to see whether the system will ensure that that lady is recompensed? She has a piece of paper from the Indian Government saying, "We have made a mistake; you are completely innocent", but it took them eight months to reach that decision and she has lost eight months of her life.

Mr. Waldegrave: Off the cuff at the Dispatch Box, and without examining the case, I cannot say that I will take it up. I shall certainly consider the case and write to my hon. Friend about it. His representations have helped to produce justice in that case, which to some extent proves that my comments have some validity—that the normal open lobbying procedures with which we are familiar can have some effect.

My hon. Friend has drawn attention to alleged violations of human rights in India. We make clear, in public and in private, our views on the need for all Governments to respect human rights.

I return briefly to the original question asked by my hon. Friend: what is the effect on Anglo-British relations of the situation of Sikhs in India?

Mr. Jessel: On that point about relations between Britain and India, is my hon. Friend aware that the vast majority of hon. Members on both sides of the House greatly cherish the historic ties of friendship between Britain and India——

Mr. Dicks: How does my hon. Friend know that?

Mr. Jessel: —and that this was shown on Wednesday when 45 Members of the House attended a function of the Indo-British parliamentary group at India house? That is the view of most hon. Members. My hon. Friend the Member for Hayes and Harlington (Mr. Dicks) is right over the top.

Mr. Dicks: They all had a free curry at the Indian Government's expense.

Mr. Waldegrave: Against the background of tragedy and terrorism, it behoves us all not to do anything to encourage the spilling over of those bitternesses in Britain. On the contrary, we should argue for moderation and for a democratic means of solving the problems which may have a legitimate basis but which must be solved through the ballot box if this House is to remain true to its tradition. Nothing that we say or do today should give the least encouragement or quarter to those who follow the route of violence.

I have listened with care and interest to what my hon. Friend said, and I urge him to work with us to bring this tragedy to an end.

Question put and agreed to.

Adjourned accordingly at five minutes to Five o'clock.

House of Commons

Monday 14 November 1988

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *[Lords]*

Order read for resuming adjourned debate on Question [10 November].

Hon. Members: Object.

Debate to be resumed on Thursday at Seven o'clock.

AVON LIGHT RAILWAY TRANSIT BILL *[Lords]*

Ordered,

That the Promoters of the Avon Light Rail Transit Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first time and shall be ordered to be read a second time;

Ordered,

That all Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

Ordered,

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

Ordered,

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

CITY OF LONDON (SPITALFIELDS MARKET) BILL

LONDON LOCAL AUTHORITIES BILL *[Lords]*

Orders read for consideration of motions.

Hon. Members: Object.

To be considered on Thursday at Seven o'clock.

Oral Answers to Questions

SOCIAL SECURITY

Unemployed and Low-paid (Support)

1. **Mr. Michael:** To ask the Secretary of State for Social Security what he estimates will be the combined effect of the various changes in Government support for unemployed and low-paid people, including the impact of the freeze on child benefit and all other relevant decisions; and what he estimates will be the net effect in cash terms and percentage terms on the weekly income of a couple with two children with *(a)* no earner in the family, *(b)* a single earner on £100 per week and *(c)* a single earner on £150 a week.

The Minister of State, Department of Social Security (Mr. Nicholas Scott): Next April's uprating directs substantial extra help towards lower income families. All children's personal allowances in income support, family credit and housing benefit are being increased by 50p over and above the amount needed to maintain their real value. Higher children's allowances in family credit and housing benefit will maintain the cash gap and encourage people with families to work rather than be unemployed. However, it will not be possible to say what the overall effects on families will be until income tax rates and allowances, and changes in real earnings, are known in April.

Mr. Michael: In the light of that obscure reply, will the Minister consider the position of an unemployed family on moderate rent and rates, with two children aged 14 and 16 years? Does he agree that if the father moves from being unemployed to a job paying £100 a week he will be less than £7 better off in terms of money in his pocket, with the greatly increased costs attached to employment such as travel to work? If the man moves to employment that pays £150 a week, will the Minister accept that he will be only £8 a week better off as a result, with further losses in benefit? Does the Minister agree that there is a worsening poverty trap? The Chancellor of the Exchequer is throwing money at the rich, but he is doing nothing for the poor —*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman's long supplementary question is unfair on those who will follow him. I appeal to hon. Members to ask short questions.

Mr. Scott: A number of factors, not least the growth in earnings, could have a profound effect on the net position in which people find themselves next April. Assuming an uprating in line with inflation, my calculations for the hon. Gentleman's two examples are £10 and £20 respectively, not £7 and £8. The essential feature is that in both

instances the man would be better off by working. Under the system over which the Opposition presided, he could well have been worse off.

Mr. Jack: Does my hon. Friend agree that the proposed computerisation of social security offices will do much to ensure that benefit claimants receive the benefits to which they are entitled, and will deal with much of the criticism of the service that is offered by local offices?

Mr. Scott: We have already taken some important steps to improve the service that we deliver to the public from local offices. We are determined to continue with the improvement. We are introducing the largest computerisation programme that there has ever been in Western Europe. When that has been completed in 1991, I am sure that we shall be in an even better position than we are now.

Mr. Kirkwood: Does the Minister accept that the changes in April heralded an increased emphasis on targeting? Has he had a chance to study the report of the Citizens Advice Bureaux, in which it is stated that 82 per cent. of claimants were worse off after the April changes? Does that not cast doubt on the Government's policy of increasing the targeting of benefits?

Mr. Scott: I have the highest regard for much of the CAB's work, but I believe that the report was flawed in two important respects. The conculsions that were drawn from it were even more flawed. First, the work was carried out only one month after the new benefits were introduced in April 1987. Secondly, it would not be surprising if claimants were unsure about their entitlement under the new system, because it had been introduced so recently. The sample consisted of people who were sufficiently worried to go into the citizens advice bureaux. So it was not typical of the broad mass of income support recipients.

Mr. Robert G. Hughes: Is my hon. Friend able to make any comparison between this Government's record in that area and that of the Labour Government run by the then right hon. Member for Cardiff, South and Penarth?

Mr. Scott: The most important point is that our predecessors in the Department of Health and Social Security and the Government as a whole had the courage to tackle the ramshackle structure of supplementary benefits and associated benefits and to replace them with something that is simpler and easier for staff to administer and for claimants to understand and which removes the worst aspects of the poverty and unemployment traps.

Mr. Flynn: Following the Minister's non-answer to the question raised by my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), does he agree that recent changes have increased the size of the poverty trap, leaving millions of families floundering on low incomes with their escape route cut off? Does he agree also that someone may still lose more than £1 in income by earning an extra £1? Some families need to earn an extra £90 a week to increase their income by a mere £18. What does the Minister intend to do to help those families? What lifeline will he offer them when he has needlessly added the humiliation of poverty to those who already suffer the daily insult of low pay and unemployment?

Mr. Scott: I warmly welcome the hon. Member to his new responsibilities and look forward to crossing swords with him in the future. We have deliberately put an extra £70 million into uprating to provide special help for low income families whether on income support or in work. As I said earlier, it is all very well to claim that we still suffer from some aspects of the poverty and unemployment traps as a result of the need to withdraw benefit as earnings increase. Not many people would disagree with that. However, the Labour party in government presided over a system in which gross imcomes could double before there was any net increase in take-home pay. We have abolished that.

Brent Offices

2. **Mr. Boateng:** To ask the Secretary of State for Social Security whether he has any proposals to close social security offices in Brent.

The Parliamentary Under-Secretary of State for Social Security (Mr. Peter Lloyd): No, Sir, but one may move to better premises in the district.

Mr. Boateng: When will a final decision be taken about the relocation of offices in my constituency? Does the Minister recognise that the freeze on staff pending relocation is causing a deterioration in the service at existing offices in Brent? Will he undertake to consult local advice agencies, for example, the citizens advice bureau, law centres and the housing advice centre, before taking a final decision?

Mr. Lloyd: We intend to take a decision very shortly. I realise that the delay in taking the decision does not help the local staff situation, particularly as the problem that led to the decision to relocate stemmed from the difficulty of retaining and recruiting staff, which meant that services to claimants have not been as good as they should be. As it is a matter of improving services to the constituents of the hon. Member and others in Brent and inner London, we are sure that the agencies to which he referred will be pleased with the result in due course.

Family Credit

3. **Mr. Frank Field:** To ask the Secretary of State for Social Security what are the latest figures for the take-up of family credit.

The Secretary of State for Social Security (Mr. John Moore): Since the start of the new scheme, just over 400,000 claims have been received. At the end of October over 248,000 families were receiving family credit. In addition, on the latest information available, 56,400 claims were on hand, but in 36,4000 of those we were waiting for replies to inquiries to employers or to the claimant.

Mr. Field: By what date do the Government expect to achieve their 60 per cent. target take-up of family credit? Given that child benefit was frozen to target resources on the poorest, if that modest target is not met by then, will the Government reconsider their strategy?

Mr. Moore: The figure is still nothing like as good as I should like it to be. It is nearly 40 per cent., and there has been a slower start than we expected. I expect to see encouragement from hon. Members on both sides of the House, because I remember that Opposition Members thought, sensibly, that family credit was an intelligent way in which to help families.

The hon. Gentleman will join me in being delighted that although the take-up rate is not what we should like it to be—I shall not give a date because we are about to introduce new take-up campaigns—the amount of money being expended, which is of relevance to the issue, is in excess of the £400 million that we thought might be available in this area; in other words, more than double what was going to family income supplement.

Mr. Couchman: As an employer of many part-time staff who are not on generous incomes, I am not aware of ever having been informed either of the former FIS or of family credit. Will my right hon. Friend, when he sends out national insurance notification in the next few weeks, inform employers accordingly, so that they may advise their staff of this benefit's availability?

Mr. Moore: My hon. Friend makes a very good point. I had thought that the Department of Employment carried out a programme during the latter part of the summer to attract the attention of employers, both large and small, to the opportunities that exist and the current position. We are considering this area, as I clearly said in the uprating statement, and repeat now. Those who would like to see people in low-paid work should note the sensible remarks of the hon. Member for Birkenhead (Mr. Field) in an article in *The Guardian* on 9 November when he said that the objective of welfare policy for the 1990s should be to reward people on low incomes who try to improve their own and their family's lot. Any extra activities in that area from all parts of the House that can enhance that objective will be welcome.

Mr. Andrew MacKay: Does my right hon. Friend agree that the disturbingly low level of family credit take-up could be improved if one could ensure that the mother was more often the recipient?

Mr. Moore: I tried reminding the House in the uprating statement, and I re-checked before questions today, that the mother is the person able and liable to claim family credit. Several right hon. and hon. Members seem to be in some doubt about this point, but that is provided for under the Social Security (Claims and Payments) Amendment Regulations 1987, under section 1(1)A of the Social Security Act 1986. It is clear that only in exceptional circumstances will family credit go to the father rather than to the mother.

Mr. Wigley: Is the Secretary of State aware of the difficulties faced by the self-employed and those on low pay—especially those working in small-scale agriculture or tourism? Is the Minister aware also of the requirements imposed by local offices for applicants to produce audited accounts for the six months prior to the date of their claim? Is he further aware of the tremendous bureaucratic imposition and cost that that requirement involves? Has the right hon. Gentleman yet found a way of streamlining the procedure so payments may be made more quickly to people in need?

Mr. Moore: The hon. Gentleman makes a sensible contribution, because we all have the same purpose in mind. There has been some debate on the point that he raises. The intention was to improve the opportunity for such employers. Consultations are under way and I hope that the very point that the hon. Gentleman makes will be taken out of debate, because I want to see take-up encouraged rather than discouraged.

Mr. Robin Cook: Has the Secretary of State forgotten that there is a long history of means-tested benefits failing to hit their targets? Does he recollect that family income supplement never reached more than half those entitled to receive it? Now that family credit has failed to achieve even that pass mark, why does the right hon. Gentleman not accept that if he really wants to target help on mothers, the only guaranteed way of doing so is through a decent level of child benefit?

Mr. Moore: I hope that the hon. Gentleman will consider more carefully at this early stage of family credit the proposition that seems to be creating difficulty for his party. I refer to the moral difficulty in which he might find himself in trying to disagree in the long term with serious attempts to help specifically families in work on low incomes. I would have thought that ours was the sensible way to address national policy, whereas in an interesting magazine interview that I read in the latter part of the summer, the hon. Gentleman makes it clear—*[Interruption.]* I know that the hon. Member has difficulty with some of his hon. Friends below the Gangway, but I shall endeavour to answer the specific points that he made in a long article in *Poverty*, in referring to the nature of what I thought was his party's views on the subject:

> "The objectives of the Government in redefining the welfare benefit system away from the concept of a national social insurance which protects everybody into a system which helps only those who, as they put it, are in need . . . What we propose is the precise reverse."

That does not seem to be the view of the hon. Member for Birkenhead. When the hon. Member for Livingston (Mr. Cook) is less confused, I hope that he will join me in trying to target additional help more effectively through family credit.

Personal Pensions

5. **Mr. Summerson:** To ask the Secretary of State for Social Security what special financial incentives are being provided for people to take out personal pensions.

Mr. Peter Lloyd: People who take out personal pensions before April 1989 can backdate membership to April 1987. They are also eligible from that date for the special 2 per cent. incentive payment, which is payable until April 1993.

Mr. Summerson: I thank my hon. Friend for that reply and congratulate him on his first appearance on the Front Bench. How many people have opted to take out personal pensions since the new arrangements were introduced earlier this year?

Mr. Lloyd: I am grateful to my hon. Friend. I can tell him that 110 schemes have been set up and that 102,000 individuals have taken out personal pensions. If my hon. Friend would like to look at the *Financial Times* of 31 October, he will see a report which says that the figure

> "from a straw poll of life companies, shows . . . the personal pensions market was extremely buoyant in its first three months."

Mrs. Mahon: Does the Minister agree that, given the small numbers on state earnings-related pensions receiving more than £15 a week—33,000 men and just over 4,000

women—the decision to reduce that entitlement in 1999 should be reversed? Will the hon. Gentleman draw those small numbers receiving just £15 a week to the attention of the Chancellor, who believes that there are large numbers?

Mr. Lloyd: It is an excellent time to make a necessary change when so few numbers will be affected. The problem in the next century will be the burden on the working population. The alternatives which we have introduced will mean that more and more people will have a second pension. They will be properly funded. Those people will not be a burden on the working population. Indeed, they will find additional finance for investment in industry.

Staffing

6. **Mr. Sumberg:** To ask the Secretary of State for Social Security what action he has taken in response to the findings of the Moodie report on social security staffing.

Mr. Moore: I have made clear my determination to secure improvements in service to the public. My Department's investment of £1·2 billion in developing our operational strategy is directed at that objective. So is the Moodie report on our local office network. I commissioned it and I welcomed it on its publication in June. I have already accepted in principle its recommendation that those elements of local office work which do not require face-to-face contact with the public should be moved out of some hard-pressed offices.

Mr. Sumberg: I acknowledge the tremendous work done by the officers at my DSS offices in Bury. Does my right hon. Friend agree on the need to improve the take-up of benefit by our constituents? Would not the hiving off of some services on an agency basis assist in meeting that objective?

Mr. Moore: The specific question refers to relocation, and I am waiting for the final Moodie report on whether an agency system would improve the service to the customer. Our prime concern must be how to ensure that the claimants, wherever they are in the kingdom, are looked after best. I am obviously delighted to look to an improvement in opportunities, especially for the hard-pressed regions, many of which might find the proposed changes of benefit to them.

Mr. Leighton: Will the Secretary of State admit that, as the amount of benefit paid out since April has diminished, his intention is to reduce the number of people employed in DSS offices? Is that not a mistake? Is this not a golden opportunity to keep those staff on to provide a better service and, in particular, to run a take-up campaign among those who are entitled to benefit but who are not claiming it?

Mr. Moore: The hon. Gentleman is right. Because of the reduction in unemployment, the simpler income support claimant forms and the way in which the whole system is being helped, there has been a considerable reduction in work in our offices. The hon. Gentleman was wrong not to realise that that is being used throughout the system—I have travelled extensively around the benefit offices to check on this—to improve delivery of service. Comparing income support with supplementary benefit, the national average clearance time for claims has fallen from over 11 days at the end of 1987 to five days in September 1988, and I expect it to improve. The error rate has decreased. We are using the enhancement of the staff to improve our services, and staff are not being lost as a consequence.

Benefits

7. **Mr. Thurnham:** To ask the Secretary of State for Social Security what representations he has received about the level of social security benefits following the Chancellor of the Exchequer's Autumn Statement.

Mr. Scott: After the—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) does not do badly in this place. I have to consider those hon. Members whose questions appear on the Order Paper.

Mr. Scott: After the expressions of opinion in this House, we have received a handful of letters from members of the public.

Mr. Thurnham: In view of the welcome continued falls in unemployment, will my hon. Friend say what effect that is likely to have on the total level of expenditure on benefits?

Mr. Scott: Throughout the public expenditure survey period we expect that there will be substantial reductions in the need to pay unemployment benefit because of the continued growth in the economy. We shall have to decide during the public expenditure survey round how our resources should be deployed.

Mr. Orme: What consultations did the Chancellor of the Exchequer have with his Department before his briefing a week ago last Friday to certain Lobby journalists?

Mr. Scott: It is fairly well known that we discuss all these matters during the course of the public expenditure survey each year. We did so last year, and we shall do so again next year.

Mr. Baldry: Would not a period of silence on pensions by the Opposition be worth while? The Labour party cheated pensioners out of nearly £1 billion——

Mr. Speaker: Order. As with questions to the Prime Minister, the hon. Member must ask questions for which the Secretary of State has responsibility.

Mr. Baldry: When my hon. Friend replies today to questions on this year's uprating in the Autumn Statement, will he take time to point out to the House and the country the contrast between the period 1974 to 1979 and today? The Labour Government failed to pay the Christmas bonus in 1976 and 1977. They cheated pensioners out of £1 billion by changing the basis on which pensions were uprated, and swindled pensioners out of massive amounts of savings by an economic policy that led to high inflation. Would not a period of silence by the Opposition on pensions now be worth while?

Mr. Scott: It would be worth while and much appreciated, but I fear that we are unlikely to get it, despite the fact that the Opposition know as well as we do that when they were in office pensioners' incomes increased by

about 3 per cent. over the whole period, whereas under this Government they have increased by some 23 per cent.—twice as fast as those of the population as a whole.

Mr. Dalyell: Further to the unanswered questions by my right hon. Friend the Member for Salford, East (Mr. Orme), was it on the Friday, the Saturday or the Sunday that DSS Ministers were first told and consulted about the Chancellor's briefing?

Mr. Scott: I have nothing to add to the reply that I gave to the right hon. Member for Salford, East (Mr. Orme).

Mr. Roger King: Is my hon. Friend aware of the widespread support for the Government's policy of targeting resources where they are most urgently needed, and especially of the great increase in family credit that his Department has just announced, so long as those additional sums of money go to those in need? Will my hon. Friend consider new initiatives—through the schools, for instance—to inform those families in need that the money is available?

Mr. Scott: We want to maximise the take-up of family credit in particular, and my right hon. Friend the Secretary of State has already alluded to the steps that we shall be taking to achieve that aim. I know that my hon. Friend recognises—and I hope it is widely recognised—that had we uprated child benefit in this uprating the poorest families would not have been helped. The steps that we were able to take have targeted help on those on low incomes, whether they are on income support or in employment.

Mrs. Fyfe: What advice would the Minister give to one of my constituents, a 43-year-old widow who has been told that she must find either work or a husband? She lives in a constituency where the official unemployment level is 22·6 per cent.

Mr. Scott: If the hon. Lady will provide me with the details of the case, I shall look into it, but I do not recognise the circumstances that she mentions.

Mr. Yeo: Does my hon. Friend agree that the strength of the Government's finances, as reported to the House in the Autumn Statement, underlines the enormous scope for increasing benefits to the very elderly and the worst-off pensioners? We on this side of the House look forward eagerly to the Minister's Department revealing its proposals in due course.

Mr. Scott: I am sure that the House will have read my right hon. Friend's article in yesterday's *Sunday Express* with great interest.

Mr. Robin Cook: Does the Minister agree with the Chancellor of the Exchequer that his Back Benchers need to be educated about social security? Why should it be necessary to educate them about social security if all they ever think about is more help for pensioners?

Mr. Scott: I am afraid that I cannot comment on these apocryphal remarks that are attributed to my right hon. Friend.

Mr. David Shaw: Will my hon. Friend confirm that there has been a substantial real terms increase in social security expenditure since 1979? Will he comment on whether that increase is giving full value for money, or whether it would be possible to target benefits better?

Mr. Scott: There has been a substantial increase in real terms under the Government—some 40 per cent.—and an extra £3·4 billion is going in as a result of the uprating announced quite recently. That is the result of the strength of our economy. We shall continue to try to ensure that the most help goes to those most in need.

Child Benefit

8. **Mr. Haynes:** To ask the Secretary of State for Social Security if he will make it his policy to publish a long-term strategy for child benefit.

Mr. Moore: I shall continue to review the rate of child benefit each year in accordance with the duty that I have under the existing legislation.

Mr. Haynes: Is the right hon. Gentleman aware that I was born in poverty 62 years ago? Is he also aware that there is still poverty in this nation? The Secretary of State ought to be ashamed of himself for backing a Government who have frozen child benefit when children need that benefit. He is robbing babies. I have looked into the right hon. Gentleman's background. He was all right when he was a child. He can take that grin off his face. I want to know what he will do for the children of today and the future. He has cut child benefit by £130 million. It is time that he gave that money to the children.

Mr. Moore: I shall not go into details of personal background, but the hon. Gentleman might like to recheck the debates of 1975 and 1976. I shall not bore him again with details of the decisions made on this issue by Mrs. Castle and her colleagues, but I remind the hon. Gentleman that if anybody should be sitting uncomfortably in shame, it is the giggling Opposition Front Bench. They should recall that, for almost all the time that Labour was last in government, the value of the child tax allowance and the family allowance for families on average earnings was far below in real terms what it has been under this Government. *[Interruption.]* That is not very good information for the Opposition, but they have to hear it. Only once—during the months before the 1979 general election—did Labour increase child benefit to a level fit to be compared with what has been achieved by this Government.

Mr. Marlow: Will my right hon. Friend and the Government consider reintroducing that child tax allowance about which he was talking, thereby reducing taxation and public expenditure at a stroke? If not, why not?

Mr. Moore: My hon. Friend will be aware of what I said in my statement on the uprating about our manifesto commitment. We keep our manifesto commitments. My hon. Friend will also be aware of my duty under statute to consider the nature of child benefit and other aspects of the economy, such as increases in earnings and reductions in taxation, as have occurred this year. I did that this year and I shall try to do the same next year.

Mr. Nellist: If the Secretary of State were to undertake a long-term strategic study of child benefit, would he look at the effects over the long term of the freezing of other benefits such as the pensioners' Christmas bonus, which has been frozen since its inception——

Mr. Speaker: Order. The hon. Gentleman must relate his question to child benefit.

Mr. Nellist: I have already done that. Is the Secretary of State aware that had the pensioners' Christmas bonus——

Mr. Speaker: Order. I called the hon. Gentleman because he has tabled question No. 25, which is on child benefit. I hope that he will stick to the subject of the question.

Mr. Nellist: Is the Secretary of State aware that had the pensioners' Christmas bonus been uprated by average earnings it should be more than £55 this Christmas?

Mr. Speaker: Order. The hon. Gentleman must ask a question relating to that on the Order Paper.

Mr. Nellist: Are we to see——

Mr. Speaker: Order. I have given the hon. Gentleman a good chance.

Mr. Nellist: Are we to see——

Mr. Speaker: Order. The hon. Gentleman must sit down.

Mr. Nellist: You read it in *Hansard* and see whether it is in order.

Mr. Moore: I will never forget, and I am sure that the House will never forget, 1976 and 1975, when the issue not involved in the question was frozen for two years in a row.

Departmental Relocation

9. **Mr. Cran:** To ask the Secretary of State for Social Security what steps he has taken to implement the recommendations in his Department's report that a significant number of headquarters staff be relocated out of London.

Mr. Peter Lloyd: We accept in principle that there is a good case for relocating some of our headquarters work away from London. A team of officials are working on turning the principle into reality. We expect to have the team's report by the end of March 1989.

Mr. Cran: I congratulate my hon. Friend on his answer. I also congratulate him because his Department is in the forefront of relocating civil servants out of London and the south-east—a policy that is long overdue. Hard as I try, I cannot see Humberside mentioned in the document. Is he susceptible to representations to include it?

Mr. Lloyd: I am grateful to my hon. Friend for both of his congratulations. I know that he has a long-standing interest in the subject and that he is an excellent advocate for Humberside. I can assure him that if he puts to us the merits of Humberside as a suitable location for our out-of-town headquarters we shall consider them very carefully indeed.

Mr. Worthington: In considering the relocation of staff, will the Minister take into account the great difficulty that my constituents suffer in that whenever they send correspondence about disability to Norcross, or write to Blackpool about the self-employed family credit scheme, that mail seems to fall into a black hole and never emerge again? Will the Minister consider substantially upgrading the staff and the resources in those areas so that the self-employed and the disabled can get a decent service?

Mr. Lloyd: That is not directly related to the question, but it is a very important matter. I do not accept the black hole analogy, but the service can be improved and is being improved by the operational strategy of introducing computerisation throughout the system so that at any particular office an individual will be able to get all the information he wants on any benefit that affects him.

Over-80s (Pension)

10. **Mr. David Atkinson:** To ask the Secretary of State for Social Security what is his current estimate of the number of people over 80 years who do not receive the full state retirement pension.

Mr. Peter Lloyd: About 66,000 people aged 80 and over do not receive full basic state pension—out of nearly 1·9 million in total. Those who do not receive full basic pension did not satisfy the contribution conditions.

Mr. Atkinson: Has my hon. Friend any estimates how much it would cost to provide those over-80s with a full basic pension? In view of their dwindling numbers, will he urge our right hon. Friend the Chancellor of the Exchequer to include that initiative in his forthcoming package of special help for poorer pensioners and to replace the 25p increase, which every 80-year-old must now regard as an insult on reaching that birthday?

Mr. Lloyd: I am afraid that I do not have the figure that my hon. Friend asked for, but, as he knows, those who do not receive the full pension and do not have sufficient income from other sources will have the difference more than made up through income support. We have no plans to discontinue the 25p age allowance, but I note my hon. Friend's enthusiasm for better targeting.

Mrs. Beckett: Does the Minister, whom I welcome to the Government Front Bench, recall reports to the effect that about 1 million pensioners who do not get a full state pension do not claim the income support to which they should be entitled? Does he not realise that that generation in particular is most reluctant to claim benefits which the Government persist in stigmatising as charity? If they are really making the oldest and poorest a priority, when will the Minister announce a massive take-up campaign for benefit along the same lines as the privatisation sales campaign?

Mr. Lloyd: The hon. Lady might be harking back in practice to the statements made by my right hon. Friend the Chancellor and my right hon. Friend the Secretary of State about a pension for pensioners on low income who have not benefited from occupational pension schemes or SERPS. The hon. Lady's objective is one that we share.

Mr. Hanley: Does my hon. Friend agree that those over 80 are increasing in absolute terms and as a proportion of the total population? Will he have urgent discussions with his colleagues at the Department of the Environment so as to allow local authorities greater leeway over spending for that age group in areas with a particularly high proportion of such people?

Mr. Lloyd: I shall draw my hon. Friend's comments to the attention of my right hon. Friend the Secretary of State for the Environment.

ATTORNEY-GENERAL

"The Wilson Plot"

62. **Mr. Winnick:** To ask the Attorney-General if he plans to take any legal action regarding the book "The Wilson Plot", by Mr. D. Leigh.

The Solicitor-General (Sir Nicholas Lyell): I have no such plans at present.

Mr. Winnick: That is welcome. Is it not the case that much of the material in Mr. Leigh's book would be illegal if the Government's proposals to change the Official Secrets Act went ahead? Does the Solicitor-General not recognise that it is time the security services were subject to full parliamentary scrutiny, all the more so considering what Mr. Leigh has written about some of MI5's activities during the 1960s and 1970s?

The Solicitor-General: As the hon. Gentleman knows, those are matters for my right hon. Friend the Home Secretary.

Mr. Aitken: Does my hon. and learned Friend realise that his answer about no activity concerning "The Wilson Plot" will disappoint milions of Big M's fans, because we need a sequel to "Carry on Spycatcher"? Surely my hon. and learned Friend recalls that at the end of that saga almost everyone was richer, the public were delighted and everyone was able to claim victory. Why should "The Wilson Plot" be denied that happy ending? Is M losing his touch? I think that we should be told?

The Solicitor-General: It is all very unfair.

Mr. Buchan: It must be especially disappointing for David Leigh. Has the hon. and learned Gentleman taken this decision because he has accepted the argument that the public interest must come first, or is it that he wishes to prevent the Government from making even bigger fools of themselves than they have in the past couple of years?

The Solicitor-General: There is no evidence in the book in question, as far as we have seen, of any breach of a duty of confidentiality, other than that of Mr. Wright.

Sunday Trading

63. **Mr. Cran:** To ask the Attorney-General what plans he has to publish the findings submitted to him by the Association of District Councils regarding the enforcement of Sunday trading laws; and if he will make a statement.

The Solicitor-General: I am placing in the Library a copy of the letter of 11 July 1988 from the Association of District Councils, which summarises the survey of enforcement undertaken by the association, together with the Attorney-General's letter requesting such information and his reply.

Mr. Cran: Does my hon. and learned Friend agree that whether the public can shop on a Sunday depends less on the law than on geography? Does he agree that that is wholly unsatisfactory and that it is bringing the law into disrepute?

The Solicitor-General: Section 71 of the Shops Act 1950 places a clear duty of enforcement and the discretion as to whether to exercise that duty in a proper case upon each local authority. No local authority has the right to abrogate that duty as a matter of principle.

Mr. Skinner: I wonder whether the Director of Public Prosecutions and his Department have discussed what they intend to do with Lady Porter and her friends on Westminster council——

Mr. Speaker: Order. We are on question 63.

Mr. Stanbrook: I welcome my hon. and learned Friend's answer about the duty of local authorities to prosecute. Will he deprecate the decision of those local authorities which say that, because of the referral of a certain case to the European Court, they do not intend to prosecute? Is it not undesirable that we have to wait upon a European institution before deciding to enforce our existing law?

The Solicitor-General: Referrals by the courts to the European Court by no means affect every case on Sunday trading, and local authorities should not, as a matter of course, regard them as any impediment to bringing prosecutions where they think it proper to do so.

Director of Public Prosecutions

64. **Mr. Janner:** To ask the Attorney-General when he last met the Director of Public Prosecutions; and what matters were discussed.

The Solicitor-General: On Thursday 10 November 1988. We discussed matters of departmental interest.

Mr. Janner: Will the hon. and learned Gentleman please consider using the Malicious Communications Act 1988 to prosecute the perpetrators of racist, anti-semitic and other evil publications sent through the post, such as *Holocaust News*? Will he also consider a filthy journal called "Choice", which is published by the Dowager Lady Birdwood? It reached my hon. Friend the Member for Easington (Mr. Cummings) today and has been sent to other hon. Members. Does he think that the Dowager Lady Birdwood, whose wealth, influence and position lie behind much of the Fascist and Nazi organisations in this country, should be prosecuted under that Act?

The Solicitor-General: If the hon. and learned Gentleman will let me have a copy of the document in question, I shall have it looked at.

Mr. Hind: Given the problems of overcrowding in prisons, when my hon. and learned Friend has discussions with the Director of Public Prosecutions, will he consider the possibility of overturning the case of Turner—which was decided by the Court of Appeal—to allow counsel to plea-bargain in the judge's room to establish, for the benefit of an accused person, what the judge thinks the sentence will be should the accused plead guilty? In this way, the process of law throughout Crown courts will be speeded up and the number of people held on remand will be reduced.

The Solicitor-General: I shall discuss the matter with my noble and learned Friend the Lord Chancellor.

Prosecution Policy

65. **Mr. Campbell-Savours:** To ask the Attorney-General when he next intends to meet the Director of Public Prosecutions to discuss prosecution policy.

The Solicitor-General: I expect to meet the director in just under three weeks' time.

Mr. Campbell-Savours: Did the Solicitor-General see the "Panorama" Wright interview, in which Wright said that he worked with one man during the period of the plot against the Wilson Government? Has he also noticed that, in his book, David Leigh indentifies that one man as Mr. Tony Brooks, who to this day lives in London and is a friend of an hon. Gentleman who was here a few minutes ago? Will that man be prosecuted? He lives in London and has been identified by Wright on television as working with him in illegal acts.

The Solicitor-General: I am interested in the information that the hon. Gentleman gives. I shall see that it is considered by the appropriate authorities.

Mr. Knapman: When my hon. and learned Friend next meets the Director of Public Prosecutions, will he consider operating a policy against Scottish Labour Members, who are rarely in the Chamber?

The Solicitor-General: As far as I know, that is not an offence.

Mr. Fraser: What other evidence has come to the Solicitor-General's attention that could corroborate the allegations made by Mr. Wright that have come to light since his book was published? Has there been much corroboration, and, if so, is it sufficient to re-open inquiries about whether criminal offences were committed?

The Solicitor-General: I cannot add to the answer that I gave to the hon. Member for Workington (Mr. Campbell-Savours).

National Security

67. **Mr. Cryer:** To ask the Attorney-General what is his policy towards the prosecution of former members of the security services for publication of confidential information.

The Solicitor-General: The policy is in accordance with the criteria set out in the code for Crown prosecutors.

Mr. Cryer: Does that mean that if former members of the secret police reveal that murder, conspiracy to sedition and other serious crimes have taken place attempts will be made by the Government to hush them up and sweep matters under the carpet, as they did with Peter Wright, or are they prepared to heap praise on members of the secret police who reveal that they have undertaken serious crimes —sometimes possibly without the knowledge of Ministers? Will he take action?

The Solicitor-General: I am not aware of any secret police. The answer to the other part of the question is no.

Mr. Lawrence: Is my hon. and learned Friend aware that the feeling of most people in this country is that those who betray the nation's secrets which are entrusted to them as part of their work, for money or notoriety, should be prosecuted, so as to end this sort of gross injustice?

The Solicitor-General: I well understand that and I am sympathetic to what my hon. and learned Friend has said. No one is above the law in this country, no matter what service he is in.

Mr. Bermingham: When he next meets the Director of Public Prosecutions to discuss the security services, will the hon. and learned Gentleman also take into account the considerable number of wire-tapping cases that are not being reported via the Home Secretary and which clearly show that the security services are exceeding their brief? Does the Solicitor-General intend that such cases will be revealed and prosecuted when necessary?

The Solicitor-General: I am not aware of those cases, but if the hon. Gentleman has evidence of them he should let the DPP know.

OVERSEAS DEVELOPMENT

Japan

68. **Mr. Nicholas Bennett:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has discussed overseas aid co-operation with representatives of the Government of Japan; and if he will make a statement.

The Minister for Overseas Development (Mr. Chris Patten): My Department is in frequent contact with representatives of the Government of Japan. I visited Tokyo in July and had wide-ranging discussions with the Japanese Government on overseas development issues.

Mr. Bennett: Is there any possibility of the Japanese Government giving financial assistance to British charities, such as the Save the Children Fund, which are working in developing countries?

Mr. Patten: That would be a sensible way in which the Japanese aid programme could develop in a number of countries. Our charities that work in long-term development are exceptionally professional, and I have suggested to the Japanese Government—this is a good idea of my hon. Friend's—that they might consider putting money through our non-governmental organisations, through a mechanism such as our joint funding scheme.

Mr. Skinner: Is not the truth that the Japanese are good at looking after themselves? Given their $80 billion trade surplus this year, is it any wonder that we read stories that they do not allow cosmetics into their country because they have different skins, or cannot allow skis to be imported because they have different snow, or have told Third world countries that they do not want their oranges because their stomachs are too small?

Mr. Patten: The hon. Gentleman's imaginative contribution to improving relations with Japan takes me well beyond my departmental brief. If he was trying to say that liberalising international trade is even more important than developing aid flows, I wholly agree with him.

Aid Distribution

69. **Mr. Ian Bruce:** To ask the Secretary of State for Foreign and Commonwealth Affairs what are the United Kingdom's priorities for the geographical distribution of aid.

Mr. Chris Patten: In deciding how bilateral aid resources are allocated particular account is taken of need, how effectively our aid can be used, what other donors are doing and of the United Kingdom's historical links with many developing countries, particularly Commonwealth members.

Mr. Bruce: My hon. Friend will know that many of my constituents, especially in the Churches, are keen that we should give aid to Sudan because of the terrible problems there. What is happening about United Kingdom aid to Sudan, and what are we, as a country, doing to audit how well the money is spent when it gets to places such as Sudan and the rest of the world?

Mr. Patten: I know that a number of our Churches and other bodies are interested in our aid and development programme in Sudan. That is of particular concern to the diocese of Salisbury, which has its own contacts with Sudan. We shall be represented at the meeting next month with other donors to consider the World Bank's programme for rehabilitation after the floods. We, like other donors, will want to ensure that our money is well and effectively spent. It would, of course, be easier to promote the development of Sudan if a bloody civil conflict were not going on there.

Mr. Boateng: Has the Minister recognised the special needs of the Southern African Development Co-ordination Conference nations, and what steps are proposed to increase aid to those countries?

Mr. Patten: Recently we increased our commitment to the SADCC countries to £54 million. I shall be attending the SADCC meeting, God willing——

Mr. Tony Banks: What has the Prime Minister got to do with it?

Mr. Patten: —and hope to underline our commitment to SADCC and to the Limpopo line. I am delighted that the hon. Member for Newham North-West (Mr. Banks) has his priorities right.

Sir John Stanley: As many of the priority countries for British aid are those in sub-Saharan Africa, does my hon. Friend agree that it would be regrettable if the Government exercised only the option, under the Paris Club rescheduling, of making relatively modest reductions in interest rates on debts, rather than exercising the option of writing off some debt, as has been done by other countries? Would it not be regrettable if the excellent debt rescheduling initiative of my right hon. Friend the Chancellor of the Exchequer, which was generous in concept, was less than generous in its implementation by the United Kingdom?

Mr. Patten: I sympathise with my right hon. Friend's argument. We have already written off about £1 billion worth of overseas aid loans and turned them into grants. The figure for sub-Saharan Africa is about £260 million. The Chancellor's initiative concentrated on three elements —longer rescheduling, cutting interest rates and writing off aid loans—and we have been occupied across the board.

Nicaragua

70. **Miss Lestor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further information he has about the extent of the destruction in Nicaragua following Hurricane Joan; and if he will make a statement.

71. **Sir Russell Johnston:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from charities and other relevant bodies concerning the provision of aid to Nicaragua.

Mr. Chris Patten: As I informed the hon. Member for Glasgow, Provan (Mr. Wray) on 7 November, as a result of the hurricane 116 people were killed and 278 badly injured, 29,000 homes, 66 bridges, 24 roads and 300 schools were damaged or destroyed.

I have received a number of requests from British charities for financial help for the disaster relief operation in Nicaragua. The emergency assistance of £250,000 that I announced to the House on 24 October has been channelled through those organisations and the United Nations Disaster Relief Office. In addition, I have made available £135,000 for Costa Rica.

Including our contribution to European Community aid, our total assistance to those two countries stands at £481,000.

Miss Lestor: While thanking the hon. Gentleman for that reply, may I remind him that the destruction in Nicaragua of the coffee, cotton, banana and sugar cane crops, grazing land and animals, which he did not mention, has been colossal, and that more reports of damage are coming in? Whatever aid may have been made available, it is nothing like enough to help Nicaragua to get back on its feet. Will the Minister be flexible in response to specific demands? Will he give additional funds to projects that were previously joint funded by the Government, and that have been destroyed by the hurricane? I am thinking especially of the Rama Indians at Rama Keys—an OXFAM project co-funded by the Government which was completely wiped out. Will he also consider the provision of safe water in the Bluefields area?

Mr. Patten: We are certainly prepared to consider helping, through our joint funding scheme, non-governmental organisation projects that may have been damaged. If the charities apply to us in the usual way, we shall consider those suggestions as positively as possible.

Sir Russell Johnston: The Minister stressed the importance of taking into account need when giving aid. Leaving aside the hurricane, why is there such a difference between the aid given to Costa Rica, which was about £12·5 million in 1985, and that given to Nicaragua, which was £116,000? Should not the Government reappraise their approach to Nicaragua?

Mr. Patten: I do not think so. The main reasons for our aid programme to particular countries are developmental need, the poverty of the countries concerned and our historic connections. In Central America there are one or two other factors such as the presence in individual

countries of regional institutions, but I should point out, as I think I have before, that the European Community provided about £6 million last year to long-term development in Nicaragua, and we provided over £1 million of that.

Mr. Jacques Arnold: Will my right hon. Friend particularly concentrate assistance on the Bluefields area, which was not only the centre of damage resulting from the recent hurricane, but has had strong connections with this country for a long time? Will he also bear in mind that the damage that has been done to the Nicaraguan economy has a lot to do with the incompetent way that the Sandinista Government have run that country?

Mr. Patten: I take the point that politicians in some countries greatly favoured by Labour Members can do as much or more damage as natural calamities. I also take my hon. Friend's point about the importance of projects in Bluefields. I think he will know that we made a contribution to the Catholic bishop of Bluefields for emergency assistance.

Mr. Nellist: On a point of order, Mr. Speaker.

Mr. Speaker: No. I will take points of order after the statement.

Mr. Nellist: It arises out of questions.

Mr. Speaker: Not now.

British Shipbuilders

3.30 pm

The Chancellor of the Duchy of Lancaster and Minister of Trade and Industry (Mr. Tony Newton): With permission, Mr. Speaker, I wish to make a statement on progress in returning British Shipbuilders to the private sector, in accordance with the policy described to the House by my predecessor on 18 April and 21 July. I felt that the House would rightly wish to have such a report before the forthcoming parliamentary break. I should, however, make it clear at the outset that I am not yet in a position to resolve all the remaining uncertainties.

When my predecessor made his statement in April, British Shipbuilders owned shipyards at Govan, Sunderland, Appledore and Port Glasgow, together with the Clark Kincaid marine engine builders on the Clyde and a services subsidiary, Marine Design Consultants, at Sunderland and Dundee. Together these accounted for some 6,500 employees—less than 20 per cent. of total United Kingdom employment in shipbuilding, which is of the order of 35,000.

The Govan shipyard was successfully sold in August to the Norwegian group Kvaerner Industrier. It has made a major inward investment in Govan, which is now to be the centre of its advanced gas ship technology. Kvaerner has so far placed orders for two gas-carrying ships at Govan with the possibility of similar orders to follow. The future of the yard now seems assured. Negotiations for the sale of Clark Kincaid to a management buy-out team have gone well. They have been materially helped by Kvaerner's confirmation, at the time of my visit to it, in Oslo two weeks ago, that the engines for the first two gas-carrying ships to be built at Govan would be built at Clark Kincaid. I am glad to say that all commercial matters have now been agreed. I hope that the sale will be successfully completed by the end of the year.

Negotiations have also been proceeding for the sale of the Appledore yard to Langham Industries. Langham hopes to place significant work with the yard, with continuing Government support under the intervention fund. The House will be pleased to know that Langham Industries and British Shipbuilders are now close to agreement. Again, I hope that this sale will be completed by the end of the year.

In the case of the Ferguson yard at Port Glasgow, I can also report further progress. British Shipbuilders has today named a preferred bidder. This is Ailsa Perth Ltd., which previously bought the Ailsa yard at Troon. Detailed negotiations will now get under way, and I have, of course, asked British Shipbuilders chairman, John Lister, to ensure that every effort is made to bring them to an early and satisfactory conclusion. I can also tell the House that bids have been received by British Shipbuilders for Marine Design Consultants. These are currently being evaluated by British Shipbuilders and its financial advisers.

The yards and other facilities to which I have so far referred account for nearly two thirds of those employed by British Shipbuilders at the start of this process. The other major element of British Shipbuilders is North East Shipbuilders Ltd. at Sunderland. This consists of building yards on either side of the Wear, at Pallion and Southwick, together with Sunderland Forge Services and a fitting-out yard at North Sands.

As the House knows, British Shipbuilders asked for bids for NESL by 30 September. Four bids were received. At a late stage in their evaluation during October, one of the bidders sought to modify his offer. As I told the House on 26 October, I therefore thought it right to allow a further short period for all those who had submitted bids to modify them if they wished before a final assessment was made. Subsequently, we have also given time for further talks related to the possibility of a Cuban order for cargo ships, and to seek clarification of a tentative indication of a new overseas interest.

I will deal first with the original bids, as modified. I have to tell the House that, following consideration by British Shipbuilders and its financial advisers, the chairman has told me, and I have accepted, that none of them is acceptable.

None of those bids had the combination of shipbuilding experience and solid financial backing which, in the Government's view, would be required to sustain a viable operation in the extremely difficult conditions of the world shipbuilding market. Each also raises specific difficulties. One of them was in practice not a detailed bid, and depended on the granting of a licence for dumping waste at sea which itself would take some considerable time to resolve. Another offered continuing employment for less than a tenth of the work force. The other two, which would themselves have entailed major redundancies, required a degree of subsidy which would have been highly unlikely to be permitted under the sixth directive. One of the last two was in fact last week withdrawn.

I can, however, tell the House that during the past few days British Shipbuilders has received three clear expressions of interest in a possible purchase of facilities at Sunderland, including the overseas concern to which I referred earlier. In these circumstances, I have agreed with the chairman of British Shipbuilders that an opportunity should be allowed to consider proposals from these interests. This will also enable those making them, if they wish, to be fully informed of the outcome of the talks which have been taking place between the Cuban shipping company Mambisa and its financial advisers in London, whose representative is due to return to this country tonight.

We want to establish, by the end of this month, whether proposals can be developed which give a firm basis for negotiation. That would entail a clear statement of the work envisaged for the yard, evidence of the technical and financial capacity of the bidder, and the prospect of arrangements likely to be compatible with the European Community sixth directive concerning state support for shipbuilding.

These are not easy criteria to satisfy, as we have seen in assessing the earlier bids. No one should underestimate the difficulties. Nevertheless, I am convinced that it is right to make this last effort to find a viable way forward for NESL on the basis that I have described, and I believe that the House will share that view.

Mr. Bryan Gould (Dagenham): Is the Minister aware that there will be great relief at this further stay of execution for NESL, but that there will be an equally heartfelt hope that he recognises at last that merchant shipbuilding matters too much to Wearside and the British economy to be sacrificed on the altar of privatisation? Will he join me in paying tribute to the "Save our shipyard"

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campaign, the work force and the local community and its elected representatives who fought so hard to keep those yards open?

Will the Minister now say that his first priority is to secure the orders, especially the Cuban order, which will guarantee the future of these yards, and that this urgent and practical necessity will take priority over questions of ownership? In particular, will he guarantee that contracts will, if offered by the Cubans, be signed by North East Shipbuilders Ltd., irrespective of who is the owner for the time being?

Will the Minister concede that what matters to Sunderland and the British economy is to keep British merchant shipbuilding alive, and that the dogma of privatisation must now take second place? Will he recognise that we must now hope for more than the prolonging of a quite unnecessary agony of the Government's own creation and that he must now summon the courage to fight his corner with the EEC, to override his civil servants and to depart from the course mapped out by his predecessors and by the Secretary of State? Will the Minister now concentrate instead on building a viable future for shipbuilding on the Wear so that it can take advantage of the upturn in world demand for shipping and continue to make a vital contribution to our industrial future?

Mr. Newton: Far from the yards being sacrificed on the altar of privatisation, as the hon. Gentleman put it, the problem that we face is to rescue them from the disaster that nationalisation has been for them. It has led to British Shipbuilders costing the taxpayer overall about £2 billion since 1979, and on shipbuilding contracts alone it has lost £650 million, of which only £250 million has been within the permitted subsidy limits allowed by the agreed arrangements within the Community.

The hon. Gentleman referred to the possible Cuban order. No one should underestimate the difficulties of securing such an order against the intense competition that exists. However, in the circumstances that I described in my statement, in which further talks have been taking place in Cuba this week, I have felt it right to allow time for the outcome of those talks to be properly assessed. I cannot hold out hope, against the background of what I have already said about the losses made by British Shipbuilders, which include large losses made by North East Shipbuilders, of British Shipbuilders taking the contract, as the hon. Gentleman asked.

The hon. Gentleman also made remarks about my colleagues and my civil servants. In the past few weeks, I have given clear evidence to him and to the House that my purpose is to find a way of permitting the viable continuation of shipbuilding on Wearside, if that can be achieved. The hon. Gentleman should in turn recognise that the difficulties are great and that the optimism that has been expressed about an upturn in world shipbuilding orders, which I have read about, has to be judged against the fact that within the past few weeks the Association of West European Shipbuilders has drastically revised downwards its forecast of the upturn from annual orders of nearly 19 million compensated gross tonnes in the half decade from 1990 to 1995 to about 12·5 million compensated gross tonnes. What the hon. Gentleman has said needs to be judged against that.

Miss Emma Nicholson (Torridge and Devon, West): Is my right hon. Friend aware of the constructive way in which the work force at Appledore has tackled privatisation and of its genuine gratitude to my right hon. Friend and the chairman of British Shipbuilders for the time they took to listen to the work force's views?

Mr. Newton: I am grateful to my hon. Friend for her comments and also for the constructive part that she has played in developing the arrangements. As I said in my statement, I am now hopeful that they will lead to a secure future for her constituents who work at Appledore, about whom she is rightly concerned.

Mr. Ernie Ross (Dundee, West): Does the Minister accept that there will be great fear in Scotland about whether the Ferguson yard will continue to operate? Will the Minister give assurances that the unions at Ferguson will have an opportunity to make an input into deciding on the preferred buyers? Will he also confirm that Marine Design Consultants of Dundee has put in a bid, and that it has been accepted? Will the Minister ensure that its bid is given an equal opportunity, against the voiced intention of the present managing director, who has made it clear that if he is allowed to buy both yards it is likely that he will want to close one of them?

Mr. Newton: British Shipbuilders today named a preferred bidder for Ferguson. It will be up to the preferred bidder to decide whether to hold talks with the work force and I expect that a preferred bidder would want to do that. We should not want to place any obstacle in the way.

The hon. Gentleman asked me about Marine Design Consultants. I cannot add to what I said in my statement. Bids have been received and are being evaluated, and it would be wrong of me to comment further until I have received advice from British Shipbuilders. When I have, I shall take account of the hon. Gentleman's point.

Mr. Barry Field (Isle of Wight): Can my right hon. Friend comment on the disputed ferry contract? Does he realise that his decision to limit the period to the end of the month will be widely accepted, not only by the work force but by the industry generally, as it will clear up the uncertainty hanging over the yard?

Mr. Newton: I thank my hon. Friend for the latter part of his remarks. The collapse of the Danish ferry order has been one of the factors that have aggravated NESL's problems in recent weeks. Of the original 24 ferries ordered, 15 are being built and nine are not. Two of the ferries have been delivered, 10 have been completed and three are yet to be finished. Some will require further modification. Negotiations are taking place in the wake of the cancellation of the contract but they have not yet been completed.

Mr. James Molyneaux (Lagan Valley): Having visited the north-east only two weeks ago, may I ask the Minister whether the implications of the EEC sixth directive and its effects on British Shipbuilders and Harland and Wolff were fully understood when the Government embarked upon the policy of privatisation?

Mr. Newton: I do not think that there has been any mystery in the industry about the general requirements and conditions of the sixth directive, under which intervention fund payments are made in appropriate

circumstances. On Harland and Wolff, the right hon. Gentleman will know that my right hon. Friend the Secretary of State for Northern Ireland is continuing discussions about the possibility of a sale.

Sir Peter Hordern (Horsham): Will my right hon. Friend confirm that, if there is any question of the Cubans buying ships, British taxpayers' money will not be used as it was in the disastrous Polish shipbuilding order?

Mr. Newton: I can confirm that it is British taxpayers' money that meets any claims on the intervention fund, and, to that extent, taxpayers' involvement will continue. However, we have no intention of allowing the order to be taken in a form that would multiply still further the heavy losses of British Shipbuilders to which I referred in my statement.

Mr. Charles Kennedy (Ross, Cromarty and Skye): I welcome the fact that the Minister proposes to have another try at solving the problem. However, in view of the continued uncertainty at NESL, can the Minister say what he hopes will be the nature of his discussions and how he thinks they will overcome with the three new potential interests the problems that could not be overcome with the four previous ones?

Mr. Newton: I hope that what I have said and the tone of my statement suggest that I am anxious not to raise false hopes. As I said, the original bids were in no case acceptable; indeed, I judge that some of them were not terribly well put together. I hope that those who are now expressing an interest will have learnt some lessons from the previous experience, but I would not want to go beyond that.

Mr. Neville Trotter (Tynemouth): Does my right hon. Friend accept that there has been great concern in Sunderland since the disastrous collapse of the ferry order earlier in the year? Does he also accept that there will be great relief that he is obviously genuinely trying to find a solution to a serious problem and an acceptable bidder to provide a sustainable future for the yard? Does he agree, however, that world prices are the basis of the problem in the industry, that a rise in prices of about 30 per cent. is needed, and that international action will be necessary if that is to come about?

Mr. Newton: I thank my hon. Friend for the earlier part of his remarks. The existence of the intervention fund, operating under the sixth directive, is directed at the problem to which he has referred. We have made it clear that intervention fund support would continue to be available on the terms current at the time in the event of the successful sale of the Sunderland yard.

Mr. Nicholas Brown (Newcastle upon Tyne, East): Can the Minister assure the House that merchant shipbuilding orders that are wholly within the gift of the Government will be committed to British yards and not committed abroad? What does the future hold for the headquarters of British Shipbuilders at Benton house, in my constituency?

Mr. Newton: I am not entirely sure what the hon. Gentleman means by the first part of his question.

Against the background of good progress towards the successful sale of most of the main remaining ingredients of British Shipbuilders—and our hopes and efforts in connection with the sale of the remainder—it will be necessary in due course to arrange for an orderly rundown of the headquarters, although I cannot speculate about the timing of that.

Mr. Robin Maxwell-Hyslop (Tiverton): Could my right hon. Friend tell the House what is the position vis-a-vis him and the Secretary of State for Northern Ireland, both of whom presumably have intervention funds at their disposal? If the sum of money is the same, who decides whether it goes to Harland and Wolff in Northern Ireland or to the north-east?

Mr. Newton: Both my right hon. Friend the Secretary of State for Northern Ireland and I operate within the same general framework of policy on shipbuilding. Intervention fund support is not set in terms of a finite amount but depends on any particular proposal fulfilling the conditions and is then up, in shorthand terms, to 28 per cent. of the cost of the ship as things stand at present.

Mr. Bob Clay (Sunderland, North): I am genuinely grateful for the stay of execution which the Minister has given us once again. I know that he has been genuinely trying to find a solution to the problem within the context of the Government policy that he has inherited.

If the Minister must persist in privatisation rather than follow the logical course of allowing British Shipbuilders to take the Cuban contract and another which might be available, does he accept that the best way to achieve a workable solution by the end of the month in the time that he has given would be to follow these steps: first to ensure that there is generous Export Credits Guarantee Department or other cover on the Cuban order or any other that is available; secondly, to take an extremely robust attitude towards the European Commission and its interpretation of the situation—Commissioners in Brussels should not be able to close British shipyards, with the Government then saying simply that it is the European Commission's fault, not theirs. Thirdly, it would help a great deal if the very narrow guidelines given to British Shipbuilders on the cost of closure were widened so that the real cost of closure, as outlined in recent reports, was taken into account.

Mr. Newton: I thank the hon. Gentleman for his generosity in the first part of his remarks. I shall try to respond in the same spirit to his more specific questions.

We would consider any proposal made to ECGD in the same way that we consider any other proposal for help. In other words, if the proposal falls within the general parameters of policy, it would qualify. I can undertake to adopt a robust attitude with regard to the European Community, but it must also be a realistic attitude bearing in mind that all the relevant Governments have a common interest in not having a subsidy war between their shipbuilding undertakings.

With regard to the basis on which bids are judged, necessarily British Shipbuilders must consider bids in the light of its commercial interests. The advice that I have been given—and the view I have taken—also tries to take account of wider considerations in the way in which I am sure the hon. Member for Sunderland, North (Mr. Clay) would wish.

Mr. Allan Stewart (Eastwood): Does my right hon. Friend agree that the Clark Kincaid order from Kvaerner for engines for the gas-carrying ships not only underlines Kvaerner's commitment to the Clyde, but should give the

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management buy-out at Clark Kincaid confidence for a successful future? Does he also agree that the announcement that Ailsa Perth is to be the preferred bidder for Fergusons should be welcomed because it will continue and maintain a long-standing and successful relationship between the two yards?

Mr. Newton: The answer to both parts of my hon. Friend's question is yes.

Mr. Chris Mullin (Sunderland, South): Is the Minister aware of any study by his Department or any other Department to assess the social and human costs of closure and to match those against the cost of keeping the yards open and going for the Cuban order?

Mr. Newton: In trying to reach conclusions on those matters, we tried to take account of all the issues involved. However, some of the figures that I have seen—for example, those in the lengthy paper published by the "Save our shipyard" campaign—seem questionable and we would have to look at them very closely.

Mr. Tim Smith (Beaconsfield): If British Shipbuilders has cost the taxpayer £2,000 million since it was nationalised, does not that underline what a disaster nationalisation has been? Will my right hon. Friend ensure that the interests of the taxpayer are fully considered in any arrangements that he is about to make?

Mr. Newton: The basis of our policy is to provide a future for merchant shipbuilding that strikes a better balance between the interests of the taxpayer and other considerations. We have made great progress towards securing that with the successful sale of Govan and the progress on other fronts that I have announced. If we can carry further that progress with NESL, no one will be more delighted than me.

Mr. Alex Salmond (Banff and Buchan): What responsibility do the Government have or feel for continuing employment and capacity in the yards that have been privatised or are being privatised?

Mr. Newton: The Government's first priority has been to ensure that the yards, wherever possible, were placed in a position in which they could have a secure long-term future in shipbuilding. It is not possible for me to give absolute guarantees about the numbers employed, no more than it has been possible for BS to give such guarantees. During the time that BS has owned the yards there have been substantial reductions in employment in response to the inescapably difficult conditions in world shipbuilding.

Mr. James Cran (Beverley): As BS has had trading losses of £1 billion and has received £250 million in intervention fund support since 1979, does my right hon. Friend agree that that public money could have been far better spent in generating economic development within areas such as Sunderland and elsewhere?

Mr. Newton: I think that there will be many who will share my hon. Friend's view.

Ms. Joyce Quin (Gateshead, East): As the British merchant shipbuilding industry has lost more jobs over the past decade than the shipbuilding industry in any other EEC country, will the Minister agree that if Britain is to be a credible part of shipbuilding in Europe in future the NESL yards must stay open and the skills that are to be found within them used for the future?

Mr. Newton: I rather doubt whether the hon. Lady is entirely accurate in her opening statement, when she compared the position here with that in other countries in Europe. It is certain that all the shipbuilding centres in western Europe have experienced drastic and dramatic reductions in their shipbuilding work force in recent years. As I have said, that is an inescapable consequence of the difficult conditions in the world shipbuilding market.

Mr. Teddy Taylor (Southend, East): I appreciate the constraints that are placed upon my right hon. Friend by the sixth directive, but will he give an assurance to the workers in the north-east and on Clydeside that he will take urgent steps to ensure that other European countries, especially France, do not get round the directive because of the complications of their company structures? Despite the new-found enthusiasm of those who sit on the Opposition Front Bench and of the Scottish National party for the Community, can the Government give an assurance that there will be a fair deal for Scottish and English yards in Europe?

Mr. Newton: I can give my hon. Friend a clear guarantee that we shall remain supportive of efforts to ensure even-handed dealing throughout the Community with the shipbuilding industries of the member states, and thus a fair deal for British shipbuilders in that context. I think that everything that I have said this afternoon demonstrates our concern to do that.

Mr. Ted Garrett (Wallsend): Will the Minister accept that he is one of the few Ministers that I would consider having some interest in the principle of caring capitalism, which is the theme that is often adopted by the Conservative party? Will he accept also that those on the Tyne who have suffered grievous losses because of the decline in shipbuilding fully sympathise with those who are likely to lose their jobs in Sunderland? Will he stop harping on about the amount of money that is coming from the public purse? The amount of public money that will be used to keep shipbuilding jobs in Sunderland is peanuts when compared with the money that is spent on farming, for example. Will the right hon. Gentleman accept that it would be cheaper to keep the jobs of the men in Sunderland for a few more months, or even years, than pay them social security and unemployment benefit?

Mr. Newton: The point at issue was raised by one of my hon. Friends in a supplementary question a few moments ago. The question that everyone should ask is whether taxpayers' money on the scale that has been spent on British Shipbuilders since 1979 would not, with hindsight, have produced more secure jobs had it been applied in other ways.

Mr. Roger King (Birmingham, Northfield): Is my right hon Friend aware that there are certain parallels between the position in which British Shipbuilders currently finds itself and the old British Leyland Motor Corporation—an unlamented state-owned organisation that owed billions of pounds? Privatisation, management buy-outs and partnerships with other businesses have turned subsidiaries such as Leyland Trucks into highly profitable

operations. Privatisation of British Shipbuilders in the way that my right hon. Friend has described must be the way forward.

Mr. Newton: We believe that it is the appropriate way forward, and we are encouraged by the experience at Govan and the prospects there about which I have spoken. I hope that my hon. Friend is right in the wider optimism that he expresses.

Mr. Robert Hughes (Aberdeen, North): Leaving aside for the moment the ideology of privatisation, does not the Minister realise that experience has shown that privatisation is not a panacea for all evils and that selling off public enterprises to under-capitalised firms sows the seeds of its own disaster? Failure to give intervention fund support has also led to difficulties, such as in the case of Hall Russell shipbuilders in Aberdeen. Privatised two years ago, that company went into liquidation last Wednesday. Will the Minister give Hall Russell the support that it needs to complete its current order? Above all, will he make it clear to the people of Sunderland that privatisation is not the answer and that what is required is a commitment from the Government to keep jobs going —with less of the ideology, please?

Mr. Newton: The hon. Gentleman will know that the receiver is now at Hall Russell and he has expressed the hope that he will find a way of ensuring a continuing future for shipbuilding there and that the St. Helena ferry will be completed. I cannot say more at this stage.

The hon. Member is right when he says that there is no panacea, for such a thing does not exist either way. It is clear that nationalisation has not proved to be a panacea. It is my view, though not one with which the hon. Gentleman may agree, that the private sector ownership we have sought to bring about offers a better hope of a viable future for the yards.

Mr. Richard Page (Hertfordshire, South-West): The House is grateful to my right hon. Friend for literally bending over backwards to explore every option before making any decision about the future of the yards. Bearing in mind the catastrophic world situation, intense international competition and the limits of the sixth directive, can my right hon. Friend guarantee that support and an aid package will be available to the areas affected if, unfortunately and sadly, a yard has to close so that they may enjoy economic regeneration and hope for the future?

Mr. Newton: Yes, I can. Both my predecessor and I have made it clear that, in the event that we are forced to see the end of shipbuilding on the Wear, we would expect to announce measures for a remedial package for the development of a new industrial future for the town. There would be a good foundation on which to build, given what is already happening there, including the arrival of Nissan.

Ms. Hilary Armstrong (Durham, North-West): Does the right hon. Gentleman recognise that investment in other areas of the northern region when major industries have fallen, such as in my own constituency of Consett, has not led to a retention of the skill base? That will be a major problem if the shipbuilding industry in Sunderland is lost. Does the Minister further recognise that people in Sunderland fear that, because, along with people in the northern region, they have consistently voted against the Government—more so than in Scotland—closure will be an ideological decision? Will the Government make a decision that will do more for the future of industrial and skill development in the town?

Mr. Newton: I will say as calmly as I can that I reject absolutely the hon. Lady's suggestion that Government policy is dictated by the north-east's political complexion. That is an extremely unhappy suggestion.

Mr. David Shaw (Dover): Can my right hon. Friend explain why the hon. Member for Dagenham (Mr. Gould) concentrated his remarks on the one third of British Shipbuilders——

Mr. Speaker: It will not be in order because the hon. Member for Dover (Mr. Shaw) must ask questions concerning matters for which the Chancellor of the Duchy of Lancaster has responsibility.

Mr. Shaw: Will my right hon. Friend note that this debate has concentrated on points concerning the one third of British Shipbuilders that it has been difficult to sell? Does he agree that there should be statements of support for and best wishes expressed to the employees of the two thirds of British Shipbuilders who will be assured of a good future in the private sector? Is that not what Lech Walesa would do—look for the good news for the future and not for the bad news of the past?

Mr. Newton: Certainly there has been a remarkable absence of any reference to the successes to which my statement referred. However, I have been long enough in politics to know that it is not unusual for attention to be concentrated on the less satisfactory parts of an announcement of that kind.

Mr. Bob Cryer (Bradford, South): To what degree has the attempt at privatisation produced uncertainty and therefore lost orders? Why does the Minister attack the concept of supporting shipbuilders in this country when other countries adopt such a policy—generating jobs not only in shipbuilding but also in steel making and in engineering in other parts of the country? Why is the Minister so rabidly opposed to providing support when this year, as in past years, the EC will spend more than £20 billion on farming? We should surely be prepared to support British manufacturing industry and our nation's assets and skills.

Mr. Newton: I do not accept that the policy we have adopted and are pursuing has had any deleterious effect on orders. The prospect that there will be more viable shipbuilding firms in this country is more likely to assist in obtaining orders than the reverse. On the hon. Gentleman's second point, we are not declining to give help. We are offering assistance within the terms agreed within the European Community, which is the sensible procedure.

Mr. David Wilshire (Spelthorne): I congratulate my right hon. Friend on what has been achieved, and it is a tribute to his personal stickability that we have got this far. Does he agree that the concept of a nationalised British Shipbuilders in 1975 owed more to Socialist dogma than to practical common sense, and that that policy and party political involvement caused more problems than it solved?

Mr. Newton: Certainly no serious observer could suggest that nationalisation has answered these yards'

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problems. I repeat that returning the yards to the private sector, with which we have already made good progress, will secure a much better future than they otherwise would have had.

Mr. Ian Bruce (Dorset, South): Does my right hon. Friend agree that denationalisation of the yards is by far the best way of securing their future? It is essential for many reasons, not least for those of strategic defence, that there should be a shipbuilding industry in this country. What is my right hon. Friend's Department doing about confronting other nations which are unfairly trading in shipbuilding by giving excessive subsidies? What can we look forward to by way of the Government protecting a private shipbuilding industry from unfair competition?

Mr. Newton: My hon. Friend's latter questions return us to the sixth directive and to the Community's general collective aim of ensuring a reasonable basis on which European shipbuilding can continue. We shall continue to play our part in that.

Mr. Dennis Skinner (Bolsover): Is this not the same Government who allocate £13 a week out of the taxpayers in every family in Britain to the Common Market to provide subsidies? Is it not the same Government who handed over £400 million to British Aerospace before it was privatised—another fat subsidy? Is this not the same Government who handed over £4·5 billion when they transferred Rover? Is this not the same Government who gave a licence to Barlow Clowes, but who cannot give a licence to——

Mr. Speaker: Order. The hon. Member is himself a chairman and must know that he should stick to the question and not go wide of it.

Mr. Skinner: My question is about subsidies—this place is subsidised as well. The Government will be symbolised by the picture of the Prime Minister in Gdansk, trying to save a shipyard there and shutting shipyards in the north-east. The Government are prepared to hand out subsidies to their friends but are not prepared to look after working people.

Mr. Speaker: Order. The hon. Member must not debate the matter.

Mr. Newton: It is the same Government who, like successive Governments, have carried through a policy of privatisation, covering about 40 per cent. of what was the nationalised sector, which is widely copied throughout the world and has produced a massive expansion in share ownership.

NEW MEMBER

The following Member made the Affirmation required by law:

James Sillars Esq., for Glasgow, Govan.

Means-Tested Benefits

4.12 pm

Mr. Gordon Brown (Dunfermline, East): I beg to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a matter that is specific and important and requires urgent consideration, namely, "new evidence relating to the Government's intentions for means-tested benefits."

The matter is specific because of the unanimity yesterday in the journalistic record of the Chancellor's briefing last Friday, the independent corroboration of that record in *—[Interruption.]*

Mr. Speaker: Order. An application is being made to me, but I cannot hear because of the shouting from the Government Benches.

Mr. Brown: The matter is specific because, as a result of the unanimity in the journalists' record of the Chancellor's briefing last Friday and the independent corroboration of that record in a second Treasury briefing last Saturday, the Chancellor now has a clear duty to answer the specific and precise questions that have been put to him about his real intentions for the future of the welfare state and to explain in particular his assertion that only "a tiny minority" of pensioners have

"difficulty in making ends meet";

his statement that there is

"clearly a case for restructuring child benefit";

and his view that for millions of pensioners targeting, and therefore means testing, is

"the way that the Government are likely to go".

He has a clear duty to explain why, if his sole aim was to provide more cash for poorer pensioners, he accepted that this would require the education of his Back Benchers and why he suggested that journalists should examine a list of unpledged benefits, benefits that the Government clearly considered themselves free to means-test.

The matter is specific also because, since last Monday's failure to provide detailed answers and last Tuesday's appearance of a transcript, the Chancellor has refused to give full answers to detailed questions. He has run away from facing a debate in the House and has declined to answer the point-by-point rebuttals of his own statement that came from journalists in yesterday's press.

The matter is important because, by his refusal to answer, by his inability to provide a tape or a transcript of his statement or give a satisfactory explanation for the absence of that tape and by his refusal to allow voice enhancement techniques to be applied to that tape, the Chancellor has done nothing to allay the fears of mothers, families and especially pensioners that the Government's real objective is to move from a regime of universal benefits to a regime of universal means testing, so jeopardising for millions of pensioners security in ill-health and dignity in old age.

The matter requires urgent consideration not only because this is the last full day of the parliamentary Session, not only because the journalists have unanimously rejected the Chancellor's explanations as a travesty of the truth, but because of the highly suspicious range of denials, delays and prevarications which we have heard over seven days which simply seek to protect the Chancellor from the proper scrutiny of the House and the general public.

The issue is not the reliability of a Treasury tape recorder; it is the trust that millions of people have put in the welfare state and around which they have organised their lifetime finances—a trust which the Chancellor seems intent on betraying. What this country requires is not a partisan defence outside this place of the Chancellor's general record. What the House requires are straight answers to straight questions.

Mr. Speaker: The hon. Member asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"new evidence relating to the Government's intentions for means-tested benefits."

I have listened with care to the hon. Member. As he knows, my sole duty in considering an application under Standing Order No. 20 is to decide whether it should be given priority over the business set down for this evening or tomorrow. I regret that I cannot find that the matter that he has raised meets the criteria laid down under Standing Orders. I cannot, therefore, submit his application to the House.

Ulster Hospital, Belfast

4.16 pm

Rev. Ian Paisley (Antrim, North): I beg to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the closing of 29·5 per cent. of all acute beds in the Ulster hospital, Dundonald, Belfast, which includes a third of the total number of plastic surgery beds and a half of the gynaecological beds."

Coming on top of the closing of many hospitals in Northern Ireland and of many beds in the Royal Victoria hospital and the Musgrave Park hospital, and coming on top of the row about the unfair grading of nurses, the announcement which was made at the weekend has been a body blow to the people of Northern Ireland.

Plastic surgery is an important part of hospitalisation in Northern Ireland because of terrorist activity and the need for the victims of terrorist activity to have that facility available. One third of the total number of plastic surgery beds are to be closed. Surely the Government should preserve, and not guillotine, this type of service.

The matter is urgent because there is no other forum in Northern Ireland where we can democratically discuss this matter, because the boards in Northern Ireland responsible for the administration of hospitals are nominated boards, with the Ministers' placemen the majority on them. I press you, Sir, to give the House an opportunity to discuss this matter.

Mr. Speaker: The hon. Member asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the closing of 29·5 per cent. of the acute beds in the Ulster hospital, Belfast, which includes a third of the plastic surgery beds and 50 per cent. of the gynaecological beds in the entire hospital."

I have listened to the hon. Member with great care, but I regret that I must give him the same answer that I gave the hon. Member for Dunfermline, East (Mr. Brown). I cannot see that the hon. Member's application meets the criteria of Standing Order No. 20, and therefore cannot submit his application to the House.

Points of Order

4.19 pm

Mr. Dave Nellist (Coventry, South-East): On a point of order, Mr. Speaker. You will remember that in question No. 8 my hon. Friend the Member for Ashfield (Mr. Haynes) asked the Secretary of State for Social Security to publish a long term strategy for child benefit. As *Hansard* will show tomorrow morning, in a supplementary question I began with the following words: "If the Secretary of State were to undertake a long-term strategic study of child benefit, would he look at the effects over the long term of the freezing of other benefits, such as the pensioners' Christmas bonus which has been frozen since its inception?" Is it not in order to compare two benefits, exactly in the same way as you allowed the hon. Member for Birmingham, Northfield (Mr. King), during questions on the statement, to compare British Leyland's state subsidy and to make allegations about British Steel's state subsidy, particularly since £5 billion has been lost since 1979 by not uprating the pensioners' Christmas bonus? As Nye Bevan would have said, "Why look in the crystal ball when you can read the book?"

Mr. Speaker: If the hon. Gentleman studies *Hansard* carefully tomorrow morning I think he will see that on no fewer than two occasions I tried to get him back to the question of child benefit. Although Ministers do not link questions with others that appear further down the Order Paper, I always try to do so. If the hon. Gentleman looks carefully at the Order Paper, he will see that his question No. 25 relates to child benefit allowance. He asks the Secretary of State for Social Security

"what would be the value, in 1988 prices, of the child benefit allowance, had it since its inception been increased annually by the equivalent of the rise in the value of: (a) the retail price index, and (b) average earnings."

That would have been a very good question to ask.

Mr. Jeremy Hanley (Richmond and Barnes): On a point of order, Mr. Speaker. The hon. Member for Dunfermline, East (Mr. Brown), in his application under Standing Order No. 20, referred to the fact that my right hon. Friend the Chancellor of the Exchequer is reported to have said that his Back Benchers need to be educated. It is clear from the reports that have been published since then that my right hon. Friend said no such thing and that in fact he was answering a question from a journalist who had made that statement. Is it not——

Mr. Speaker: Order. I have already said that I cannot allow an application under Standing Order No. 20 on the subject. What journalists say is not a matter for me.

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Speaker. On question No. 5, the Secretary of State for Social Security said in answer to a question from me that the elderly are a burden to others. That was very hurtful and dehumanising. I ask that in future——

Mr. Speaker: Order. We cannot have a re-run of Question Time.

Mr. Nigel Spearing (Newham, South): On a point of order, Mr. Speaker. Are you able to guide the House about Standing Order No. 20 applications in general? I ask you to reflect on a particular matter. Most Standing Order No. 20 applications relate to the actions of Ministers when exercising their ministerial responsibilities. However, when there is a Standing Order No. 20 application that relates to action that has already been taken by a Minister the probability of that action being raised in debate at a future date is quite distinct from a request that the Minister should take action in the future. Could you reflect on the fact that the longer the period from the time when the Minister took that action to the time when a debate may take place on a future occasion may affect the efficacy of the debate and the ability of the House to deal with a matter that is retrospective rather than prospective?

Mr. Speaker: The hon. Gentleman knows that the criteria for Standing Order No. 20 applications are that the matter must be urgent, specific and important. Standing Order No. 20 applications must be raised at the first opportunity and notice must be given to me, whenever possible, before 12 o'clock. I have to make difficult decisions as to whether those applications meet the criteria. I did not find that to be so in today's cases.

Mr. David Winnick (Walsall, North): On a point of order, Mr. Speaker. I believe that you accept that one of the Opposition's duties is to scrutinise the activities of Ministers. The Session is coming to an end. We on this side of the House believe that much has to be done to explain the discrepancy between what the journalists wrote yesterday and what the Chancellor said——

Mr. Speaker: Order. The hon. Gentleman is trying to perpetuate the Standing Order No. 20 application that was made by his hon. Friend the Member for Dunfermline, East (Mr. Brown).

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker, arising from question No. 7. A factual question was asked about when Ministers first knew of the Chancellor's briefing. We have to accept that what journalists say is not a matter for you, but it is a matter for you when the House finds difficulty in establishing factually what happened. In the politest way, I asked whether it was on the Friday, Saturday or Sunday that Department of Social Security Ministers——

Mr. Speaker: Order. It is no good raising that matter with me as a point of order, because I could not possibly know the answer to it.

Mrs. Ann Clwyd (Cynon Valley): On a point of order, Mr. Speaker. I put it to you as the defender of Parliament's rights that this is an issue of great importance to the House of Commons. The Chancellor has not come clean. It is your duty to defend our rights. If he——

Mr. Speaker: Order. The hon. Lady will know that I take that as a prime charge. I do defend the rights of the House of Commons. There was a private notice question last week on this very matter, which I granted.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. You said earlier that matters have to be raised as soon as possible after they have occurred. I see your point, as does the House. Do you accept that during Question Time, at which both of us were present, there was an altercation between members of the Opposition Front Bench and Treasury Ministers on whether Department of Social Security Ministers knew about the Chancellor's intervention? You will have noticed that various Ministers refused to answer that question; they blocked it

successfully and did not answer. This is the first available opportunity that any Opposition Member has had to make a Standing Order No. 20 application. It was only at that point that a question about the matter had been asked in the House, notwithstanding what——

Mr. Speaker: Order. The hon. Gentleman is very helpful, as I would expect him to be because of his position in the House, but he must know that whoever occupies this Chair must have regard to all sorts of considerations, in particular the criteria laid down in the Standing Order. I cannot be held responsible for what Ministers say at the Dispatch Box. That is not a matter for me.

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Mr. Speaker. Do you not agree that on some occasions when you rule that a Standing Order No. 20 application is not a matter of urgent debate it may become so later? For example, the Chancellor's meeting with the press could become the subject of further debate while Parliament stands prorogued. If that happened but Parliament had been unable to debate what the Chancellor said, would it not mean that far from Parliament being the forum of the nation the press would become that forum? If the press were to continue to debate this matter during Prorogation, would you be prepared to review the case for an urgent debate?

Mr. Speaker: I take every case on its merits. What the hon. Gentleman is saying is at the moment hypothetical.

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Speaker. I wonder whether you, as Chairman of the House of Commons Commission, will look during Prorogation into the matter of a private body that runs a magazine which purports to represent the views of the House of Commons. It has carried the portcullis for a period without official authority. When the League Against Cruel Sports produced a portfolio, I recall that it was rapidly told to drop the portcullis.

This private magazine is not accountable to the House. We cannot ask questions about how much profit is being made. We cannot ask whether its pages are being abused by being opened to the Tory leader of Bradford council to justify his swingeing cuts. These are important matters. If the magazine were accountable to the House, a judgment could be made about it, but it is being run by an all-party clique of hon. Members. They can do what they want. They are not accountable. The magazine should not be described as having connections with the House. It is a private magazine with a small circulation, but it uses the imprimatur of the House of Commons. There should be some element of accountability, but it is noticeably absent. I hope that you, Mr. Speaker, will look into the matter during Prorogation.

Mr. Speaker: Order. This matter has been raised before. I think that it was discussed by the House of Commons (Services) Committee. If the hon. Gentleman wants to make further points, his right course is to draw them to the attention of the Services Committee.

Mr. Dalyell: On a point of order, Mr. Speaker.

Mr. Speaker: Is it a different point of order?

Mr. Dalyell: Yes. Mr. Speaker Hylton-Foster, who was my first Speaker, used from time to time to appeal to the good will of the Leader of the House in difficult situations such as we have with the Chancellor. Can we reinstate the concept of the good will of the Leader of the House? He might vouchsafe some kind of statement on this matter which obviously concerns serious hon. Members on both sides of the House.

Mr. Speaker: The Leader of the House is here. I know that he is a man of good will. I am sure that he will have heard what has been said.

Orders of the Day

Road Traffic (Consequential Provisions) Bill [Lords]

Considered in Committee

[MR. HAROLD WALKER *in the Chair*]

Clauses 1 to 7 ordered to stand part of the Bill.

Clause 8

SHORT TITLE, COMMENCEMENT AND EXTENT

4.30 pm

The Solicitor-General (Sir Nicholas Lyell): I beg to move amendment No. 1, in page 2, line 38, leave out 'three' and insert 'six'.

The amendments that stand in my name were shown in draft to the Chairman of the Joint Committee on Consolidation, &c., Bills, who said that they were, in his opinion, proper to be moved as part of the consolidation effected by the Bills.

Amendment No. 1 relates to the provision for the commencement of the Bill three months after Royal Assent. Representations from the Justices Clerks Society suggested that that would not give magistrates courts sufficient time to adjust to the change, so the amendment extends the period to six months.

Amendment agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Schedule 1

REPEALS AND REVOCATIONS

The Solicitor-General: I beg to move amendment No. 2, in page 7, leave out lines 24 to 28.

The Chairman: With this it will be convenient to consider Government amendment No. 3.

The Solicitor-General: The references in the Bill to the Criminal Justice Act 1988 are to the text of the Bill for that Act as amended by Standing Committee in the Commons. There were changes in clause and schedule numbers before the Criminal Justice Act received Royal Assent, and the amendments bring the references in the Bill up to date.

Amendment agreed to.

Amendment made: No. 3, in page 7, line 31, at end insert—

"1988 c. 33.	Criminal Justice Act 1988.			Section 37(2) Section 63. Section 68. In Schedule 15, paragraphs 92 to 94.'

—[The Solicitor-General.]

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Schedule 3

CONSEQUENTIAL AMENDMENTS

Amendments made: No. 4, in page 27, line 36, leave out paragraph 38.

No. 5, in page 27, line 44, at end insert—

'The Criminal Justice Act 1988 (c. 33)

39. In section 40 of the Criminal Justice Act 1988, in subsection 3(c) for "section 99(b) of the Road Traffic Act 1972" there is substituted "section 103(1)(b) of the Road Traffic Act 1988".'.*—[The Solicitor-General.]*

Schedule 3, as amended, agreed to.

Schedule 4 agreed to.

Schedule 5

TRANSITORY MODIFICATIONS

The Solicitor-General: I beg to move amendment No. 6, in page 30, line 21, leave out paragraph 1.

The Chairman: With this it will be convenient to take Government amendment No. 7.

The Solicitor-General: Paragraph 1 of schedule 5 contains transitory modifications of the Road Traffic Bill and the Road Traffic Offenders Bill pending the coming into force of various sections of the Criminal Justice Act 1988. These provisions are now all in force, or will be in force before this consolidation can come into force, so the transitory modifications are no longer necessary.

Amendment agreed to.

Amendment made: No. 7, in page 31, line 9, leave out paragraph 3.*—[The Solicitor-General.]*

Schedule 5, as amended, agreed to.

Bill reported, with amendments; considered, read the Third time, and passed, with amendments.

Road Traffic Bill [Lords]

Considered in Committee.

[MR. HAROLD WALKER *in the Chair.*]

Clauses 1 to 107 ordered to stand part of the Bill.

Clause 108

INTERPRETATION

The Solicitor-General (Sir Nicholas Lyell): I beg to move amendment No. 1, in page 74, leave out lines 6 to 8.

Part III of the Bill derives from part III of the Road Traffic Act 1972. Part III of the Bill does not deal with disqualification and endorsement of licences on conviction, unlike part III of the 1972 Act. The provisions about disqualification and endorsement are now to be found in part II of the Road Traffic Offenders Bill. Accordingly, part III of the Road Traffic Bill does not require definitions of, "offence involving obligatory disqualification" and "offence involving discretionary disqualification" and the amendment omits those definitions.

Amendment agreed to.

Clause 108, as amended, ordered to stand part of the Bill.

Clauses 109 to 144 ordered to stand part of the Bill.

Clause 145

REQUIREMENTS IN RESPECT OF POLICIES OF INSURANCE

The Solicitor-General: I beg to move amendment No. 2, in page 99, line 1, leave out subsection (7).

Paragraph 3 of schedule 5 to the Road Traffic (Consequential Provisions) Bill contains transitory modifications. These and other amendments and modifications remove transitory modifications which are no longer necessary.

Amendment agreed to.

Clause 145, as amended, ordered to stand part of the Bill.

Clauses 146 to 150 ordered to stand part of the Bill.

Clause 151

DUTY OF INSURERS OR PERSONS GIVING SECURITY TO SATISFY JUDGMENT AGAINST PERSONS INSURED OR SECURED AGAINST THIRD-PARTY RISKS

Amendment made: No. 3, in page 104, line 14, leave out subsection (11).—*[The Solicitor-General.]*

Clause 151, as amended, ordered to stand part of the Bill.

Clauses 152 to 160 ordered to stand part of the Bill.

Clause 161

INTERPRETATION

Amendment made: No. 4, in page 110, line 32, leave out subsection (4).—*[The Solicitor-General.]*

Clause 161, as amended, ordered to stand part of the Bill.

Clauses 162 to 196 ordered to stand part of the Bill.

Clause 197

SHORT TITLE, COMMENCEMENT AND EXTENT

The Solicitor-General: I beg to move amendment No. 5, in page 131, line 4, leave out 'three' and insert 'six'.

This clause provides for the commencement of the Bill three months after Royal Assent. Again, representations from the Justices Clerks Society suggest that that would not give sufficient time for magistrates courts to adjust to the change. The amendment extends the period to six months.

Amendment agreed to.

Clause 197, as amended, ordered to stand part of the Bill.

Schedule 1 agreed to.

Schedule 2

DEFERRED TESTS OF CONDITION OF VEHICLES

The Solicitor-General: I beg to move amendment No. 6, in page 135, line 26, leave out

'subsection (6) of that section'

and insert

'section 67(6) of this Act'.

The amendment corrects an error in a cross-reference

Amendment agreed to.

Schedule 2, as amended, agreed to.

Schedules 3 and 4 agreed to.

Bill reported, with amendments; considered, read the Third time, and passed, with amendments.

Road Traffic Offenders Bill [*Lords*]

Considered in Committee.

[MR. HAROLD WALKER *in the Chair*]

Clauses 1 to 8 ordered to stand part of the Bill.

Clause 9

MODE OF TRIAL

The Solicitor-General (Sir Nicholas Lyell): I beg to move amendment No. 1, in page 5, line 15, leave out subsection (2).

Paragraph 1 of schedule 5 to the Road Traffic (Consequential Provisions) Bill contained transitory modifications of the consolidation pending the coming into force of certain provisions of the Criminal Justice Act 1988. These provisions are now all in force, and the Committee has approved an amendment to omit paragraph 1 of schedule 5. Subsection (2) warns the reader of the existence of the modification, and is no longer necessary.

There is the same explanation for amendments Nos. 8, 9 and 11 in relation to clauses 54, 89 and schedule 1, respectively.

Amendment agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

Clauses 10 to 18 ordered to stand part of the Bill.

Clause 19

EVIDENCE OF DISQUALIFICATION IN SCOTLAND

Amendment made: No. 2 in page 11, line 5, after 'proceedings', insert 'in Scotland'.—*[The Solicitor-General.]*

Clause 19, as amended, ordered to stand part of the Bill.

Clauses 20 to 53 ordered to stand part of the Bill.

Clause 54

NOTICES ON-THE-SPOT OR AT A POLICE STATION

The Solicitor-General: I beg to move amendment No. 3, in page 27, line 39, leave out 'an' and insert 'a constable or'.

Subsections (4) and (5) derive from section 28(1) and (2) of the Transport Act 1982, which provides for a person who has committed a fixed penalty offence to produce his licence to a constable at a police station in order to obtain a fixed penalty notice. The Criminal Justice Act 1988 extended this provision so that the licence might be produced to an authorised person, that is, a person authorised by the chief officer of police. In the clause the references to a constable have not been reproduced, and amendments 3 to 7 rectify that omission.

Amendment agreed to.

Amendments made: No. 4, in page 28, line 2, leave out 'an' and insert 'a constable or'.

No. 5, in line 6, after first 'the', insert 'constable or'.

No. 6, in line 9, after 'the', insert 'constable or'.

No. 7, in line 11, after 'the', insert 'constable or'.

No. 8, leave out lines 25 and 26.—*[The Solicitor-General.]*

Clause 54, as amended, ordered to stand part of the Bill.

Clauses 55 to 88 ordered to stand part of the Bill.

Clause 89

INTERPRETATION

Amendment made: No. 9, in page 51, line 29, leave out subsection (3)—*[The Solicitor-General.]*

Clause 89, as amended, ordered to stand part of the Bill.

Clauses 90 to 98 ordered to stand part of the Bill.

Clause 99

SHORT TITLE, COMMENCEMENT AND EXTENT

The Solicitor-General: I beg to move amendment No. 10, in page 55, line 17, leave out 'three' and insert 'six'.

The amendment extends the period before commencement from three to six months.

Amendment agreed to.

Clause 99, as amended, ordered to stand part of the Bill.

Schedule 1

OFFENCES TO WHICH SECTIONS 1, 6, 11 AND 12(1) APPLY

Amendment made: No. 11, in page 56, line 24, leave out paragraph 5.—*[The Solicitor-General.]*

Schedule 1, as amended, agreed to.

Schedule 2

PROSECUTION AND PUNISHMENT OF OFFENCES

The Solicitor-General: I beg to move amendment No. 12, in page 69, line 5, column 7, leave out '2-5' and insert '3-9'.

The Chairman: With this it will be convenient to take Government amendments Nos. 13 and 14.

The Solicitor-General: The amendments give effect to the Penalty Points (Alteration) Order 1988, which was made under section 19(8) of the Transport Act 1981 on 2 November 1988, and is to come into force on 1 March 1989.

Amendment agreed to.

Amendments made: No. 13, in page 91, line 12, column 7, leave out '4-8' and insert '6-8'.

No. 14, in page 93, column 7, leave out lines 11 to 15 and insert '8-10'.

Schedule 2, as amended, agreed to.

Schedules 3 to 5 agreed to.

Bill reported, with amendments; considered, read the Third time, and passed, with amendments.

Health and Safety

4.45 pm

Mr. William Cash (Stafford): On a point of order, Mr. Deputy Speaker. I wish to raise a matter arising from a document produced by the European Commission entitled, "Developing an active company approach to the European Market—Europe in 1992." I have already raised this matter with Mr. Speaker through the Clerk of the House.

The Government and the whole House are familiar with the whole question of 1992, and are generally supportive. However, a very important question of order arises in relation to this particular document published by the European Commission. The document contains advice which suggests that no regard is being taken of the role of this Parliament in the making, scrutinising and passing of legislation affecting people in this country. Fifty thousand copies of that document have been distributed by the European Commission. It appears from page 23 of the document that the United Kingdom Parliament has no role in the passage of such legislation——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman said that he has drawn the matter to the attention of the Clerk and of Mr. Speaker. I understand his point and I am well aware of his concern, but this is not a matter for the Chair. The only advice that I can offer the hon. Gentleman is that he should seek the services and offices of his own Member of the European Parliament.

Mr. Teddy Taylor (Southend, East): Further to that point of order, Mr. Deputy Speaker. Everyone knows that the Common Market does not oblige the Council of Ministers to pay the slightest attention to the House of Commons. Anyone who voted for the treaty of Rome and for the Single European Act knows that. Surely they also accept that the European Parliament can express views which can be completely ignored by the Council of Ministers. I hope that before we start a long debate on important vital constitutional issues, we will not be misled by the view that the House of Commons influences the Council of Ministers or that the views of the so-called European Parliament have any effect whatsoever. Surely we should be clear about the constitutional points before we go one step further.

Mr. Cash: Further to that point of order, Mr. Deputy Speaker. My point is less in regard to the European Parliament, for which many of us have a great deal of respect. "Erskine May", chapter 34, clearly states that many aspects of draft Community legislation require implementation in this House. It is wholly inappropriate for the European Commission to publish a document on this scale, filtering through the whole of the United Kingdom, from which it appears that there is no role for the United Kingdom Parliament in the passage of this legislation. Therefore, I wish to register a protest on behalf of my constituents, and the electorate as a whole, at the way in which this document has been promulgated.

Mr. Teddy Taylor: Further to that point of order, Mr. Deputy Speaker. I hope that you will make things clear. On Thursday night we had a perfect example of the point that I am making. For an hour and a half we debated an order on origin marking. It was a long debate but it was made clear by Ministers that it would make no difference whether we voted for or against the order as there had not been a prosecution for two years because of a decision by the EEC. Surely we accept——

Mr. Deputy Speaker: Order. The hon. Gentleman is making the point that I made earlier. These are not matters for the Chair. That is the position.

Mr. Teddy Taylor: Further to that point of order, Mr. Deputy Speaker. I do not wish to detain the House, but, although tiny, this is an important point. I hope that before hon. Members begin a long debate they will appreciate that, once an EEC decision has been made, it is effectively the law of the land, whether Parliament approves or not. There are ample test cases to prove that.

Mr. Deputy Speaker: Those are matters for debate, not for the Chair.

Rev. Ian Paisley (Antrim, North): Further to that point of order, Mr. Deputy Speaker. Surely the document, "Europe in 1992", brings the House into contempt when the Commission, which has not been elected, makes it clear that the House has no role in controlling affairs at the heart of our way of life. Surely it is a matter that the Chair has to take into consideration. I am a Member of the European Parliament and I know that Members of that Parliament are helpless in matters such as this. We need the help of the House and of you, Mr. Deputy Speaker, in a matter of such gravity.

Mr. Deputy Speaker: I hope that hon. Members will not seek to draw the Chair into matters of political controversy. These are matters that the House has debated and, doubtless, will debate again in the future. The points that have been raised are appropriate matters for debate, rather than for a ruling from the Chair.

4.51 pm

The Minister of State, Department of Employment (Mr. John Cope): I beg to move,

That this House takes note of European Community Documents Nos. 5211/88 on the safety and health of workers at the workplace and 5762/88 and the Supplementary Explanatory Memorandum submitted by the Department of Trade and Industry on 7th July 1988 on personal protective equipment; supports the proposals in principle as steps towards the establishment of comparable high standards of health and safety throughout the Community and the removal of technical barriers to trade; and endorses the Government's endeavours to secure modifications in negotiations.

The Government believe that the House has a role to play because it influences the stand taken by the Government and Ministers in the Council of Ministers. That is the purpose of the debate. In fact, it has a greater role than that, which I shall seek to show.

The European Commission proposals are part of the move towards completing the single European market by 1992—a move to which the United Kingdom and the rest of the European Community are committed. The steadily increasing European Community activity in health and safety at work reflects the impetus that moves towards economic integration have given to a whole range of other European developments. Those moves have been given clearer direction and purpose since 1985 when the European Community decided to undertake a full programme of activity to complete the single market. Part of that programme stems from a recognition that it is

[Mr. John Cope]

important that competition is not distorted by differences in basic health and safety standards with which employers in member states are required to comply.

There are differences in standards and of approach between member states, and no doubt there are lessons that we can learn from each other. As regards fatal accidents, only the Netherlands has a better record than the United Kingdom. Rates among leading competitors are significantly worse. We must not be complacent and the figures tell only part of the story. However, they show that the United Kingdom already has fairly high standards. That must not put us at a disadvantage to our competitors; the objective must be to bring them up to our standards, not the other way round.

The proposed directives are based on provisions in the Single European Act which, as the House will be aware, introduced a number of reforms to the treaty of Rome. The Act was intended to improve the workings of the Community, to extend its scope in areas such as this and to speed up progress towards agreed objectives. For example, the Act enables the Council of Ministers to take decisions on many issues by a system of qualified majority voting. The removal of the effective power of veto is aimed at speeding up the European law-making process on matters such as health and safety at work and product standards. It makes it more important than ever for the United Kingdom to win the support of other member states through reason and argument and also for us to be sufficiently flexible to accept reasonable compromise when necessary.

Mr. Bob Cryer (Bradford, South): Is the Minister saying that if we want to retain the absolute provisions of section 14 of the Factories Act 1961 regarding dangerous machinery, but, for example, Spain proposes that standards should be lowered, we will not be able to protect those provisions?

Mr. Cope: I cannot recall the precise provisions of that section, but the European proposals are for minimum standards. We are free to have higher standards if we wish.

The workplace proposals introduced earlier this year —they are covered by the first of the explanatory memoranda referred to in document 5211/88—consist of a framework directive specifying measures to encourage improvements in the safety and health of workers and five subsidiary, or daughter, directives. Those subsidiary directives set the minimum—I stress "minimum"— requirements for workplaces on the use of machines, personal protective equipment, visual display units and the handling of heavy loads which are likely to cause back injury.

The new treaty provisions on which the proposals are founded—article 118A—for the first time, provide for Community measures on health and safety at work. That reflects a growing belief in the Community that a truly common market needs to ensure comparable high health and safety standards for all its workers. The Government support the aim of ensuring that decent comparable standards of health and safety apply throughout the European Community.

Mr. Eric S. Heffer (Liverpool, Walton): Will the directive apply to the construction industry?

Mr. Cope: Yes.

Therefore, we accept the main thrust of the proposals. However, there are problems with the proposals as they stand, and the United Kingdom is playing a full part in the negotiations in Brussels in order to improve them. Many of the changes that we want to see are by way of clarification and the removal of excessive detail.

We are conscious of the importance of not imposing unnecessary burdens on industry and of the fact that new requirements can sometimes bear particularly hard on smaller businesses. The United Kingdom was instrumental in securing the inclusion of a requirement in article 118A that health and safety directives should not constrain the creation and development of small and medium-sized companies. We will do our utmost to ensure that that requirement is fully respected. We do not seek special exemptions for the employees of smaller businesses, but we are looking for provisions that are flexible and sensible enough to be applied to all workplaces.

Mr. Teddy Taylor: What is the Government's attitude to the proposal that tight new rules for lighting, heating, ventilation, stairways, and so on, should apply to new buildings but not immediately to old buildings? Will that not discriminate against countries with lots of new factories rather than countries with old ones? If it were approved in that form, would the Government apply it in United Kingdom law and exempt old buildings from those tight rules?

Mr. Cope: I shall respond to my hon. Friend's detailed point at the end of the debate, if he will permit me.

Mr. Tam Dalyell (Linlithgow): The Minister has always been good about writing detailed letters, and I thank him for his courtesy in Committee and on the Floor of the House. There is, however, a special problem in some areas. I am thinking particularly of what has happened at the Golden Wonder factory at Broxburn in relation to asbestos and new discoveries regarding its dangers. Will the Minister and the Department be raising this problem in the European Community? I do not ask for an answer off the top of his head, but it is an important matter.

Mr. Cope: I shall make some comments about that as soon as I usefully can.

It is important that the same provisions apply to all workplaces, even small ones. Flexibility is not reducing standards but avoiding a legal straitjacket that removes useful options and obscures real objectives. The Health and Safety at Work etc. Act 1974 and our approach to the proposing and passing of regulations under it embody that flexible approach. Where possible, regulations are expressed as objectives to be met, leaving employers to decide on the precise means of achieving them. On occasion, requirements need to be precisely drawn, but, where possible, there should be sufficient flexibility to allow different solutions to problems. Our national legislation offers some useful ideas for solving problems with the Commission's proposals.

Mr. Cryer: If the Commission's recommendations and directives are for lower standards than in United Kingdom legislation, would an employer who is challenged to maintain United Kingdom standards and who says, "I prefer the EC recommended levels because I support a

flexible approach" have a right to challenge the application of different United Kingdom standards in the European Court?

Mr. Cope: No, not in the way that the hon. Gentleman suggests. The flexible approach is embodied in regulations proposed to and accepted by the House under the Health and Safety at Work etc. Act. In relying on the flexibility of such regulations, an employer would be complying with United Kingdom legislation, which would be satisfactory. If it was held that United Kingdom regulations were lower than the minimum suggested in a directive, the employer might be able to argue in the European Court that standards in the United Kingdom were not high enough. That is the opposite of what the hon. Gentleman was suggesting.

There are six proposals before us, but only the framework directive is at an advanced stage of negotiation. It has been discussed a number of times in the Council of Ministers and the social questions working group. It sets out the employer's basic responsibilities to assess risks and introduce the necessary measures. Much of the directive is consistent with requirements in the Health and Safety at Work etc. Act and the subsidiary legislation.

We are still working hard on one important problem. We need to ensure that the directive encompasses the concept of "so far as is reasonably practical." This concept runs all the way through the Health and Safety at Work etc. Act, the subsidiary legislation and the guidance under the Act. The problem with these documents is essentially legal, stemming from the absence in United Kingdom law of the continental concept of proportionality. Our courts must apply the law exactly as it is enacted by Parliament. Continental courts apply the law only as far as it is proportionate to the circumstances. Proportionality therefore allows continental member states to couch their health and safety laws in absolute terms. They enforce them to a standard equivalent to "so far as is reasonably practicable", but it is crucial that we find an acceptable way for the United Kingdom to implement the directive using "so far as is reasonably practicable," where appropriate, and in line with our tradition of enforcing the letter of the law. We shall continue to try to persuade the Commission and other member states of the importance of this issue and gain their co-operation in reaching a solution.

Mr. Cash: Does my hon. Friend agree that there are serious problems because some member states do not have the administrative machinery for the enforcement of provisions in many of these directives? Therefore, the consequence could and probably will be that, although we are engaged on an entirely constructive and helpful harmonisation programme, the fact that some member states may not want or be prepared to enforce the legislation will produce inequities and reduce the level of the playing field that we all want. As this is of particular importance to small and medium-sized businesses, we must ensure that other member states honour their obligations. What can the Minister do about it?

Mr. Cope: We are conscious of the enforcement problem, as is the Commission and the Council of Ministers. The problem has already been raised and I have no doubt that it will be again. The enforcement machinery differs considerably between member states. Much work is being done to ensure that we are all aware of other countries' enforcement procedures. Indeed, there has been much exchange between our factoray inspectorte and its equivalent in other countries. Much thought is being given to methods of evening out the procedures. The Commission is concerned about the central role that it must play.

The five subsidiary directives referred to in the motion are at a much earlier stage of negotiation. Four have been discussed to some extent in the Council machinery, but much negotiation lies ahead. The fifth directive, on visual display units, has not been discussed. We believe that VDU work is sufficiently and appropriately covered by the general health and safety legislation and the framework directive. We do not believe that a specific directive on VDUs is appropriate.

The other two proposals on the use of machines and personal protective equipment are complementary to proposals for trading directives under article 100A of the treaty, which is central to the removal of technical barriers to trade in the Community. Directives under article 100A embody a new approach to the harmonisation of product standards and are limited to setting broadly drawn essential safety requirements. If those requirements are met, products will be free to be traded throughout the Community. Technical standards are left to the Eurpoean standards bodies to define, and if a product complies with the appropriate standards it is presumed to comply with the directive.

As European standards take time to prepare, most of the directives lay down a procedure whereby suitable national standards can be used during the interim. British Standards Institution standards will apply in the United Kingdom. Each directive will specify the means of proving conformity with its requirements. This may involve some form of independent third-party assessment of varying degrees of rigour. Generally speaking, the greater the safety implications, the more stringent the procedures are likely to be, as one would expect.

The proposed trading directive on personal protective equipment follows this pattern. The Government welcome the aim of ensuring Community-wide high standards in this important area. In the negotiations we intend to ensure that present safety levels enjoyed in the United Kingdom are not reduced, while minimising additional burdens on manufacturers.

Mr. Teddy Taylor: Employers throughout the country are anxious to know the Government's view and the likely outcome of the statements on obligations in respect of worker representatives. The Minister will be aware that article 10 clearly states that workers' representatives will be entitled to time off without loss of pay to fulfil their obligations under this directive. On page 5 of the letter from Brussels dated 17 March, we find that they should be protected against dismissal or any other adverse treatment related to their activities as worker representatives. That is a fundamental change in the British law governing trade union worker representatives and their entitlements.

What is the Government's view of this, and what is likely to happen? What is a worker's representative in a non-unionised factory?

Mr. Cope: The directive should not undermine the employer's primary responsibility. The employer must be

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responsible primarily for health and safety on his premises and in the working environment. We have the support of other member states on this.

As regards the articles to which my hon. Friend referred, which relates to employers consulting their employees, we are optimistic that the final text will be broadly in line with the Safety Representatives and Safety Committees Regulations 1977, which already apply in this country. I appreciate that the regulations differ when applied to unionised and non-unionised workplaces, but we still believe that the 1977 regulations will cover the matter.

Mr. Jonathan Aitken (Thanet, South): What precisely is the basis for my hon. Friend's optimism that the final text will reflect the line of thought he has just outlined? The draft of the European statutes and the texts of some of Monsieur Delors' most recent speeches and pronouncements make it clear that the direction in which the Commission wishes to lead Europe is one of massive worker participation—worker membership of boards and elected committees. The whole thrust of European legislation is to give workers far more say and rights than they have under the legislation that my hon. Friend optimistically believes will be included in the final text.

Mr. Cope: My hon. Friend knows some of the Government's views about these matters. They do not arise in the context of these proposals, however. The reason for my optimism is the way in which the discussions have gone so far in the Council of Ministers and the working groups. Allied to that is the way in which the United Kingdom arguments have been received so far in the Community.

Mr. Cash: I do not want to press too many points on the Minister at this stage as there will be opportunities for speeches. However, article 7 of the directive states:

"The employer is required to involve the workers".

The problem is that that imposes a strict obligation to involve workers and/or their representatives in drawing up a list of things with which I shall not weary the Minister at this stage. They are clearly set out in article 7.

There is a problem with the wording——

Mr. Deputy Speaker: Briefly.

Mr. Cash: As for the standards to which my hon. Friend referred, the explanatory memorandum signed by the Parliamentary Under-Secretary of State, Department of Trade and Industry, which was issued recently, says this about financial implications:

"The financial effects for business are unclear at present as it is not known what attestation procedures will be required for each item of protective equipment."

In a nutshell, the problem is whether these attestation procedures will have financial implications that cannot be costed at present.

Mr. Cope: On the second point, we are pressing for greater detail about the financial effects. That is one of the matters that we have raised in the negotiations.

The proposed trading directive on personal protective equipment follows the pattern that I was outlining. The Government welcome the aim of ensuring Community-wide standards in this important area. We want to increase the safety levels that are enjoyed here. Of course, the proposal in some respects requires more comprehensive safeguards than current United Kingdom legislation provides and, if it is adopted in its present form, new regulations may be required. I hasten to add, especially for the benefit of the hon. Member for Bradford, South (Mr. Cryer), that such new regulations will come to this House for decision. We shall also consult interested bodies in the usual way on any legislative changes that appear to be necessary.

Mr. Cryer: Presumably the regulations will be made under the Health and Safety at Work etc. Act 1974, which is the empowering primary legislation. Will the Minister confirm that that Act requires all regulations made under it at least to maintain and improve the standards of existing health and safety at work legislation? Is it true that it would be impossible for the Minister to lower standards under United Kingdom legislation if the Government maintain this way of producing statutory instruments?

Mr. Cope: Yes, it would be impossible under the Act for us to lower standards because of section 2(1), which I think has that effect. Any new regulations would most likely be introduced under that section, although we are speaking hypothetically now.

Rev. Ian Paisley: The Minister said that if there was a change it would come before the House. Will that be done by means of an Order in Council, negative or positive orders, or what? The document states that most of the necessary changes could be effected by regulations under the enabling powers. The Minister knows full well that Ministers could use enabling powers that would not come before the House.

Mr. Cope: We are discussing hypothetical changes in regulations. I cannot lay down absolutely the precise terms in which they would come forward. The most likely form, as I told the hon. Member for Bradford, South, would be under the Health and Safety at Work etc. Act 1974.

Mr. Heffer: I understand that this is a consultative document about which we are being asked for our views. It then returns to the Commission, which may or may not change the proposals in it. Ministers will discuss them and then decide. How will they return to the House? Will we have the right to talk about them or to vote on them? Will we simply be instructed about the outcome. People in this country want to know what our role in this legislation is, and we have a right to be told the position clearly.

Mr. Cope: I shall try to spell it out as clearly as possible, but I believe that it is well understood that the regulations and all the directives provide minimum standards. After this debate and discussion of the points made in it, discussion will continue in the Council of Ministers and in the expert committees. Expert opinion is sought on many of these detailed matters. A parallel discussion will continue in the European Parliament. Ultimately, the documents will come before the Council of Ministers for decision. In most cases, the decision will be made under article 118A, which means qualified voting.

If the Council of Ministers reaches a unanimous decision, the document will become a directive. If it does not, the European Parliament will play a larger role in producing amendments. Under the procedures of the Community, the document in its final form will become Community law. That would lay down minimum

standards. It is then for each member Government to determine whether their legislation complies with the minimum standards—for example, whether the requirements include the wearing of a hard hat on a construction site or in a heavy workshop. We believe that most of our standards are higher than those applied elsewhere, but, if we reached the conclusion that our standards were not above the minimum laid down, we should have to return to the House, almost certainly under the Health and Safety at Work etc. Act, to propose a different regulation for decision by the House.

Dame Elaine Kellett-Bowman (Lancaster): Am I right in believing that if the Danes and the Italians were to support us in voting against a regulation, that would not be a qualified majority?

Mr. Cope: I do not recall the figures on the qualified majority, but I shall answer my hon. Friend later when I have had an opportunity to do the arithmetic.

Because of the procedure that I described to the hon. Member for Liverpool, Walton (Mr. Heffer), it is too early to say precisely which form the directives will take. None will be adopted unless it is acceptable to a majority of member states. But the high standards set by our legislation or established in practice will stand us in good stead in the negotiations, as well as in the future when minimum standards are adopted. The instruments can only improve health and safety in the United Kingdom.

There is no easy sliding scale of bad, medium and good by which one can measure a company's health and safety standards. There are often valid alternative approaches to individual problems, and an entire regime is even more difficult to grade. In any case, this is not a static scene. Everyone is learning all the time, new hazards arise and new ways of dealing with old hazards arise all the time. The countries of Europe learn from each other. But health and safety standards in the United Kingdom are better than those in most of our European partner countries.

Nothing in the European documents could lower our standards. They propose only minimum standards, and we are free to continue the higher standards in our domestic legislation if we wish. If we believe that to be right, we shall do so. We are also free to introduce higher standards in the future.

Mr. Nigel Spearing (Newham, South): I apologise for missing the first part of the Minister's statement. Does he agree that, although it is not mandatory to adopt the minimum standards, once the single market is in place the Government may receive representations from employers' organisations and others saying that our higher standards discriminate against them unfairly because they involve extra costs? Is that not a probability?

Mr. Cope: It is a possibility, but our standards are accepted by employers. In any case, we do not wish to lower our standards and certainly could not do so by regulation under section 2(1) of the Health and Safety at Work etc. Act. Of course, we could introduce primary legislation, but that would require full discussion in the House. In all cases, the regulations that apply here are and will continue to be those which are laid down by Parliament. All that the documents do is to lay down the minimum standards that we and our partners must maintain.

Our standards will not slip, but, as the hon. Member for Newham, South (Mr. Spearing) said, employers could perceive problems at the other end of the scale. If the requirements are too bureaucratic or restrictive, they will weaken the competitiveness not just of Britain but of the entire Community. Everyone involved in health and safety measures knows that if they are overdone they can bring everything to a standstill and work can become impossible. Over-elaborate precautions are difficult to enforce or to maintain in the work force.

Europe must remain competitive. The idea of the European Community is not just to trade with each other —equal health and safety regulations across the Community would facilitate that—but to have a home market of 320 million people with which to trade with the rest of the world. It is no good erecting even hurdles across Europe if we cannot compete elsewhere. The health and safety regime must not be obstructive, but it must be effective. As every employer would recognise if he reflected on it, accidents are usually more expensive than safety precautions, and big accidents are very expensive for employers, in terms not only of money but of human suffering, anxiety and misery. No business can afford accidents.

All health and safety regimes must be a balance of those considerations. The European documents mentioned in the motion provide such a balance. We welcome the principles behind the proposals. I shall do my best to respond to questions asked by hon. Members during the debate. In the meantime, I commend the motion to the House.

5.28 pm

Mr. Gavin Strang (Edinburgh, East): It is difficult to exaggerate the importance of health and safety at work. One need only read the statistics on accidents and deaths to recognise the importance of the regulations and other provisions. Last year there were more than 700 deaths and 20,000 major accidents at work, and as many as 20,000 people died from occupational diseases. There can be no dispute about the significance of this legislation and the importance of ensuring that all practical measures are taken to reduce risks to workers.

Responsibility for enforcing pretty well all the regulations that will arise from these directives will rest with the Health and Safety Executive. The Opposition have been critical of the Government's failure to provide adequate resources to the Health and Safety Executive to allow it to carry out its important work. It was as a result of pressure from the Labour party, and during a debate initiated by the Opposition last December, that the Secretary of State announced that the money available to the executive would be increased by £6·7 million in the current year. He specifically undertook to ensure that there would be 40 more factory and agricultural inspectors, in place by the end of this financial year, in April. I draw his attention to the fact that, according to the latest figures that I received from the Government, at the end of last month there were 776·5 inspectors in place on 1 October.

I trust that the Government will reach their target of 40 more inspectors this year, because that is a modest target. It will still mean that the number of inspectors is very much lower than it was when the Government came to office in 1979. These inspectors have to enforce so many more additional regulations and have so many additional

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responsibilities that this increase, welcome as it is, falls a long way short of what is needed. I hope that, if not in this debate, then shortly, the Government will take the opportunity to make it clear that they intend substantially to increase the resources for, and the number of staff working in, the Health and Safety Executive. In 1979 there were 912 agricultural and general factory inspectors compared to the 776·5 that I mentioned earlier.

I was grateful to receive from the Department of Employment, on 27 October, some answers in response to written questions about what responsibilities the Health and Safety Executive had lost and gained since 1979. The losses were listed as the industrial air pollution inspectorate, which was transferred to the Department of the Environment, and the "inspection and enforcement responsibility" in zoos, which was transferred to local authorities. I was, however, given a long list of the responsibilities that the executive had acquired since 1979. These were:

"(i) carriage by road, classification, packaging and labelling of dangerous substances;
(ii) notification of new and existing substances before they are placed on the market;
(iii) action under the European directive on the control of industrial major accident hazards;
(iv) mains gas safety;
(v) asbestos licensing;
(iv) the enforcement of part 3 of the Food and Environmental Protection Act and its related Control of Pesticides regulations."—*[Official Report,* 27 October 1988; Vol 139. c. *380.]*

We must tell the Government, forcefully and firmly, that we believe that they have failed to provide the Health and Safety Executive with the resources that it needs to have the chance effectively to enforce these important regulations.

Naturally, attention has focused on health and safety and accidents generally, particularly in the past couple of years, in the light of the major tragedies of the Herald of Free Enterprise, the King's Cross fire and the Piper Alpha disaster. The Government have to rethink their aproach to these matters. Lives have been lost as a consequence of failure to provide adequate resources to enforce health and safety in various installations and at work generally.

Mr. Cryer: Will my hon. Friend accept that as well as these startling, dramatic and tragic accidents, there has been a continuing erosion of standards, of which the Government are unaware because they no longer collect statistics of those who are off work for three or more days through injury? As a result, if there is a spate of industrial accidents resulting in back injuries, or of hands being chopped off by an imported machine, the Government are no longer aware of that, so they are not able to take remedial action. It is lamentable that the Government are denying information to the Health and Safety Executive, to the trade unions, to workers and to the employers, who may be just as concerned to take remedial action.

Mr. Strang: My hon. Friend is right. That change in the method of recording these accidents was a retrograde step. It is not just that the newer statistics that we are getting as a result of the new procedures are not comparable, but that less information about accidents is available.

We rightly focus a great deal of attention on major accidents and hope that the Government will respond fully to the King's Cross inquiry and report. However, if someone is killed in an accident involving 100 people, it is no more serious than if a person is killed in an accident involving a couple of people. Therefore, we have to recognise that just as important as the incidents that hit the headlines are all the other accidents which occur throughout the year and which we must do everything that we can to reduce.

The Minister said that Britain's safety standards are usually among the highest in Europe. However, he must accept that they are not necessarily the highest, and that Scandinavia, although it is not in the European Community, sometimes has higher standards than ours, as do the Germans. The fundamental question over the next couple of years is whether, in pursuit of universal standards, Britain equalises down or up.

I can give an example of where standards are higher in West Germany than they are here—an example quoted in an article in *The Observer* yesterday. The report is headed:

"Death probe into DIY best-seller"

and says:

"Deaths and illness among workers producing Britain's best-selling do-it-yourself timber treatment are being investigated by . . . the Health and Safety Executive."

It lists the chemicals as lindane, tributyltin oxide and pentachlorophenol, or PCP. As the Minister may know, I have been in correspondence with the hon. Member for Pendle (Mr. Lee), the Under-Secretary of State for Employment, about PCP, because of the concern about the use of this chemical. I have also been in correspondence with the German embassy, because this chemical is banned in West Germany. I mention that as an example of German standards being higher than ours. I trust that the Minister, particularly in the light of the report in *The Observer,* will be able to show the House that the Department is moving quickly in these matters, and will assure us that if it is necessary to ban that chemical, or all three chemicals, the Government will do so and will see that the regulations are effectively carried out. The chemical of particular concern is that which is still in use, PCP.

The directives have arisen as a result of article 118A of the Single European Act. This requires minimum harmonised standards on health and safety to be introduced throughout the European Community by qualified majority voting. Because the directives rely on the majority vote, and not the previous consensus, no individual Government will be able to drag their heels. The effect of article 118A will, nevertheless, be varied. The article is qualified by a section that will allow any Government to avoid stringent impositions. This states, quite simply:

"such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium sized undertakings."

It is not clear what is understood by "medium sized", but with moves in the 1980s towards smaller companies, it is feasible that a large number of employers could be exempted from the article's provisions.

As I understood it, the Minister of State said that the directives were intended to be sufficiently flexible and would, in practice, apply to all undertakings, regardless of their size. It would be helpful if he would confirm that, as a substantial number of workplaces might not be covered

by the directives and regulations that follow from them. I should be grateful if the Minister would explain what he means by the phrase "medium size" in that context.

Even more important, a harmonised standard might be agreed below the British level which, in many cases, would be unfair. The Government will be afforded the opportunity of reducing British standards, while simultaneously claiming that they are complying with European regulations. Again, there has been some discussion about that and some helpful interventions were made in the Minister's speech. As I understand it, the Government intend standards to be harmonised upwards.

Two issues are involved here. First, there is the question of what the directive will say. We would welcome it if the Government would clarify their intention. Following these directives, a great deal of discussion will take place in a range of specialised committees. The Government must make it clear that they will argue for harmonisation upwards and for the highest and most stringent standards. The highest standards will often, but not always, be found in Britain.

Mr. Heffer: The memorandum states that in most European countries concerned the legislation does not apply to the self-employed. Self employment is growing considerably in the construction industry and is leading to death and injury on a scale that we have not known before. Will my hon. Friend obtain an assurance from the Government that the directive will apply to the self-employed in the construction industry? If it does not, the position will become even more dangerous.

Mr. Strang: My hon. Friend brings me to my second point. We hope that, in general directives, the Government will aim to achieve harmonisation upwards. However, in the case of a directive that would enable lower standards to prevail throughout Britain, we must ensure that the Government maintain the higher standards that the Minister has confirmed this afternoon. To their credit, many of the regulations apply just as much to the self-employed as they do to other employees in, for example, the construction industry. In agriculture, the pesticide regulations, enforced as a consequence of the Food and Environment Protection Act 1985, apply as much to self-employed farmers as they do to farm workers. The agriculture inspector is, rightly, just as concerned about the farmer as he is about the farm worker.

I hope that the Community will include the self-employed in the measure. However, regardless of what it decides, I hope that the Minister will make it clear that, if any directive provides health and safety standards only in respect of employees, there will be no question of the Government eliminating or loosening any regulations that apply to the self-employed in this country.

We should not distinguish between a self-employed person and an employee in respect of health and safety. We might distinguish between a large workplace, a medium-size workplace and a small workplace, but we should not be more concerned about an employee than about a self-employed person. However, we must recognise that, without regulations, some employers would be under commercial pressure to submit their workers to health and safety conditions which they would not accept themselves, in an attempt to maximise their profits. The regulations are designed to reduce that problem.

As the Minister has confirmed, the measure makes specific provision for a member state to maintain higher standards than those agreed. Britain would often be in that position. However, the parts of the Single European Act and the treaty of Rome covering the elimination of import-export restrictions will force Britain to import equipment and goods which conform to European safety standards, but fall well below our standards. The Health and Safety Commission can do nothing in the face of that loss of sovereignty. My hon. Friend the Member for Bradford, South (Mr. Cryer) mentioned that in his intervention. There is all the more reason for achieving harmonisation upwards, because we do not want equipment to be manufactured to a high standard for use in workplaces and, at the same time, more equipment and machinery to be imported into the country which does not conform to our safety regulations.

Even when the Government have increased the factory inspectorate staff to a more acceptable level, we must recognise that the responsibility for implementing the regulations lies with the management, often with the support and encouragement of trade unions and their health and safety representatives. I hope that the Government will reverse their approach to the provision of greater resources in respect of health and safety at work and, as a result of the parent directive, rethink their approach to the crucial role that trade union representatives can play in the workplace in maintaining and improving health and safety standards.

As the Minister said, the framework directive is accompanied by five daughter directives. The framework directive places general health and safety responsibilities on the employer, who would be required

"—to evaluate health and safety risks and introduce preventive measures . . . to designate competent personnel or to use outside agencies or individuals; to make arrangements for first-aid, fire precautions, and emergency procedures; to maintain certain records and to draw up reports on accidents and diseases; to provide information to workers; to consult workers or their representatives on health and safety measures; to provide health and safety training for workers, to allow workers' representatives with specific responsibilities for health and safety time off with pay to carry out their responsibilities and to allow them to receive appropriate training."

I do not think that any Opposition Members would fault those objectives, and I should like to think that the House would be unanimous in its support of them. That is why we welcome the general framework directives.

The five daughter directives relate to workplaces, work equipment, personal protective equipment, work with VDUs and the handling of heavy loads. The Minister of State referred specifically to the daughter directive relating to VDUs. One might say that the reason why we shall not need to change our legislation to conform with the directive on VDUs is that Britain does not have regulations and legislation that govern their use. I was interested to hear the Minister imply that he doubted whether there was a case for such a directive. I hope that he will make some attempt to justify that.

There have been many reports that workers' health can be damaged by the use of VDUs. The directive refers to the need for workers to be given eye tests, and, of course, such eye tests must be carried out regularly to monitor any adverse affects. Another question about VDUs is the low-level radiation that they generate. There is a need to ensure that people do not work in close proximity to

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VDUs, particularly to the rear of them. The Government should think again if they are arguing against the principle of a directive to govern VDUs.

Mr. Cope: I apologise for perhaps not having made it clear enough that we believe that VDUs should be governed by general regulations, by the Health and Safety at Work etc. Act 1974 and other legislation. We are arguing about whether specific regulations are needed to cover VDUs.

Three separate research projects on VDUs are being carried out, which have been commissioned by the Health and Safety Executive, and we shall, of course, study them carefully. At present, medical and scientific evidence suggests strongly that the use of VDUs is not a high-risk activity and that it can be covered by general health and safety at work regulations and by the equivalent European regulations.

Mr. Strang: I understand that position, but I think that we shall return to the subject in the years ahead. I must tell the Minister that I doubt whether his view will be sustained for many more years. The Minister referred to research that is being conducted, and we shall be interested to learn the results. A dialogue will no doubt ensue. I realise that we do not introduce regulations for the sake of it, but do so on the basis of hard evidence and the evidence on VDUs will need to be examined. There is no doubt that many employees and trade unions are worried about the effects of VDUs, and I doubt whether they are convinced that there is no need for directives and regulations such as those that apply to other equipment and machinery.

The hon. Member for Southend, East (Mr. Taylor) referred to the possibility that different standards might apply to new workplaces and existing workplaces. That question arises when one considers the daughter directive, and it is an important one. If a distinction is to be made between new and existing workplaces, that can be justified only if the new workplaces are subject to higher standards. I presume that we shall seek to make major improvements in standards and to impose more stringent conditions for new workplaces, so it will not be practical to expect all existing workplaces to change to new machinery or practices overnight. Provided that new workplaces have to meet higher standards, we shall be prepared to consider differing standards between new and existing workplaces.

My next point is equally valid. If it is believed to be necessary to make a distinction between the standards that apply to new and existing workplaces, the period during which that applies should be finite. I should take a considerable amount of persuading that the period should ever be more than five years. Existing workplaces should have five years in which to modify or replace equipment, alter buildings or make other changes to achieve the standards that will be enforced in new workplaces. As we are trying to achieve higher standards, the different standards should operate in parallel for a limited time. That approach would be acceptable. Of course, an ideal approach, when practical, would be to ensure that standards are universal.

I should like to reiterate a point that I believe to be important. I hope that the Minister will be forthright and give the House an undertaking that the Government are not prepared to accept any erosion in the standard of our regulations on health and safety at work as a result of harmonisation or European Community directives. In some limited instances, that may mean that our employers will have to meet standards that are significantly more stringent—even with the new directives—than those in certain European countries and that they may have higher costs.

We must take a clear stand on these matters, and I hope that the Government will make it clear that there will never come a time when, as a result of the directive and subsequent discussions, they will come to the House and argue that, on the grounds of competition, there must be a reduction in our standards. I hope that the Minister will give a clear undertaking on that and that the Government will insist on maintaining—or improving—standards year by year. That is the only way in which we can reduce the large number of deaths from occupational diseases. We do not know, for example, how many people who die from cancer have contracted it as a result of conditions at work. As industry becomes more complex and new substances are used, the minimum assurance that the Minister must give—if we are to improve standards—is that no European Community directive will lead to the British Government reducing standards through our domestic regulations.

5.57 pm

Mr. Teddy Taylor (Southend, East): What happened before the debate started has proved that we are discussing a substantial topic tonight—the complete review of our health and safety legislation. The most disturbing constitutional aspect of that is that, to the best of my knowledge, although we are discussing fundamental changes in health and safety legislation, I doubt whether commerce and industry have the slightest idea of what we are doing. I doubt whether the trade unions have the slightest idea and I question whether any hon. Member has received representations from, for example, the Confederation of British Industry or the Trades Union Congress about the proposals, many of which are fundamentally important to them.

We are engaged in a discussion in a new kind of democracy in which, sadly, the views of the House of Commons are largely irrelevant, apart from having a minor advisory role. The views of the European Parliament are certainly irrelevant, apart from its having a minor advisory role. Laws are being made for Britain on the structure of the Council of Ministers, with advice from the Commission. This is only the beginning. I hope that industry, commerce and the people of this country are aware of what is happening.

Mr. Cope: I want to reassure my hon. Friend immediately that, to my certain knowledge, the TUC and the CBI are fully aware of the proposals. Only a few days ago, at its request, I went to a meeting of the CBI's safety committee. The CBI showed a deep knowledge of these proposals and I believe that the same deep knowledge exists in the TUC.

Mr. Taylor: I am sure that the CBI and the TUC have been in touch with the Minister, but that underlines my point. I am sure that neither body has the slightest idea of what we—the British Parliament—are doing tonight. Hon. Members are well aware that, when Parliament is to debate legislation over which we have some control, we receive representations from organisations such as the CBI

and the TUC, as well as from individual trade unions and employers' associations. We are now working on a different basis—in a new kind of democracy in which the Houses of Parliament are largely irrelevant and have only a minor advisory role. The fact that the CBI and the TUC have been in touch with the Minister proves that the real decisions are made by the Council of Ministers and the Commission in its advisory capacity.

Perhaps even more worrying is the fact that the Government's view will not necessarily prevail. Whether the Government want it or not, expensive and costly legislation may be imposed on British employers, manufacturers and trade unions. Unfortunately, the process is just beginning. Only last Thursday we debated a provision abolishing a major Act of Parliament against the wishes of the United Kingdom Government and against the wishes, I am sure, of the average United Kingdom consumer. The sooner the people of Britian are aware that we are embarking on a new form of democracy so that they can take it into account, the better served they will be.

Mr. Cash: Does my hon. Friend agree that we are debating the directives because the Select Committee on European Legislation recommended them for debate? I am sure that he would not wish to give the impression that that Committee—or indeed others who, like him, are vigilant in these matters—does not try to ensure that the British Parliament is fully involved.

Mr. Taylor: I should certainly like it if the British Parliament was involved in redrafting the safety legislation. I would in no way wish to discredit the Select Committee, which does an excellent job in recommending matters for debate. However, my hon. Friend, who makes an attempt to study the documents in detail, is fully aware that our views are largely irrelevant. I am sure that hon. Members who care about democracy——

Rev. Ian Paisley *rose*——

Mr. Taylor: Just such an hon. Member wishes to intervene.

Rev. Ian Paisley: Is it not a fact that under the present arrangements it is impossible for the House to debate legislation in full, to make amendments or to have a real say in any changes?

Mr. Taylor: The hon. Member is absolutely right. Tonight we are to debate the equivalent of four major Bills, each of which would normally have not only a Second Reading but a detailed Committee stage, during which hon. Members could try to make changes. Only a handful of hon. Members are here for the debate because they are aware not only that our decisions on the documents are irrelevant but that we could not in any case make any changes. We should be kidding ourselves if we suggested that our views were in any way relevant. That was the point that I sought to make. The hon. Member for Antrim, North (Rev. Ian Paisley) probably has a larger mail bag than most hon. Members and he will know that it is normal to receive recommendations, letters and requests for meetings. I suggest that no one outside the House has the slightest idea of what is going on tonight and that, even if he did, it would make very little difference.

We are not discussing a small matter. We are discussing major changes in legislation that could have a substantial effect—possibly frightening, possibly improving—on the organisation of industry and commerce. We know that the Council of Ministers rather than the Government will decide what happens. Nevertheless, it would help if we could have a broad outline of the view that the Government will take when they go to the Council of Ministers.

I am concerned about the VDU directive, which would add substantially to industry's costs. According to the Minister,

"There are . . . doubts about the usefulness of the proposal"

and I wonder whether the Government could give us some idea of the extent to which such a provision would add to costs and whether their view has any support among other member states. That is a most important point.

Secondly, I am concerned about what appears to be a new principle—the principle of different standards being applied to existing firms' old factories and new factories. That would inevitably result in an increase in rentals and an increase in the cost of old factories compared with new factories. We are about to embark on legislation that would permit firms operating in any Community country to apply different safety standards to old and to new buildings.

Probably more important than any other question is whether the Government would be willing to ask about policing. We know that they cannot promise us anything when it comes to the Common Market. They perpetually come forward with great ideas. They repeatedly say that they have pledges on the control of Common Market expenditure. That is just a joke. The EEC merely uses an accountancy device and changes the year from 12 to 10 months. We know what happens then. We have continually heard statements about the reform of the common agricultural policy. If we believe them, we are just kidding ourselves. Nothing happens. Expenditure continues to increase and, although we are promised reductions, they never happen.

I am reminded of the time when as the director of a business I went to Dublin to meet some bankers, who gave us a presentation on the prospects for the Republic of Ireland. A series of wonderful graphs on the wall showed a sharp decline followed by a sharp increase. That gave us the impression that things were improving in the Republic. However, we later discovered that all the upturns related to what they thought would happen in the future. We constantly find that happening with the EEC.

I appreciate that the Government have very limited powers. On the other hand, it would make a huge difference if we could know about policing. Will the new laws that we draw up be applied? Earlier today we heard a splendid statement from the Chancellor of the Duchy of Lancaster about shipbuilding. We know that it is a joke, because, although the Government will obey the sixth directive in the amount that they give to industry, those involved know that if they are turned down in Britain, they can always get a better deal in France and in two other countries in the Community.

The poor old Chancellor of the Exchequer is in a real mess. He is having to change his policies because our trade has gone haywire. We all know that a former positive trade balance with the EEC has become a horrendous deficit, not because of inefficient British managers or lazy British workers but because things happen in other EEC countries that do not happen here. The main problem is with the

[Mr. Taylor]

Federal Republic of Germany and the inner German trade agreement. We all know that goods flow into East Germany and West Germany because of the inner German trade agreement. When they come here they are meant to have 20 per cent. added value but that does not happen because the policing is the responsibility of the Government of the Federal Republic.

I am worried that, whereas we shall apply the proposals, other countries will not. It is not good enough for the Government to say, "We shall do our best and write to the Commission." If the Minister has any doubts, he should ask the Parliamentary Under-Secretary of State for Transport what happened to the Southend bus. The regulations were clear. There was an application for a bus service going to Frankfurt but, despite the fact that the law was clear and precise, we had four years of discussion involving the Foreign Secretary and the Under-Secretary, who took infraction proceedings at Brussels. It worries me sick that no matter how hard we try to apply the rules they will simply not be applied elsewhere.

How could we police the proposals? We are transferring responsibility for making at least 80 per cent. of our laws from the House to the EEC. M. Delors was quite right, although I deplore the fact that law-making powers are being switched from the House to the Council of Ministers. If that is to happen, we must ensure that laws are properly applied in different parts of the Community. That means having a mobile and effective police force. It means that there must be someone with authority who can tell a member state on behalf of the Commission that it is breaking the rules, and that action has to be taken. That form of Euro-constitutional policing may be regarded as having frightening implications by some but it would not be nearly as frightening as what is happening at present. We apply 99 per cent. of the rules—although perhaps not all in agriculture—but we know that that is not happening in other countries.

The Minister will have to go along with a proposal that will have the effect of rewriting our health and safety rules. We know that he will not win if he takes issue with it. We know that he will have to tell the House, "We must apply legislation that we do not want. It will damage our industry by adding to its costs." That is not my hon. Friend's fault. He is the most charming and kindly member of the Government, but he cannot overturn the treaty of Rome. He may well have to return to the House and say, "I am sorry, but we must apply these foolish, nasty and irrelevant rules because we lost in the Council of Ministers." I feel sorry for my hon. Friend. He is a kindly and agreeable Minister and entitled to our sympathy.

Before my hon. Friend agrees to the proposal, I ask him to try hard to secure effective policing. It is not good enough to say that the Government will appeal to the Commission or take the matter to the European Court, because my hon. Friend will be aware from the papers that have been placed in the Library that, effectively, the court does not have jurisdiction. The issue rests with individual member states. As I have said, something more will have to be done.

Will the Minister return to tell us that our health and safety rules will have to be changed and that we shall have to have new divisions between old factories and new factories? Will he have to tell us that regulations on the use of VDUs will have to be introduced? There are one or two Labour Members who still do not like the Common Market, but they will be cheering like mad once they learn what is in the documents. They provide that employees' representatives are entitled to time away from work, without reductions in pay, to consider their responsibilities under the directive. An employer will not be able to sack or get rid of an employee, or suspend him, if he is involved in work which comes within the terms of the directive. That is basically rewriting the Government's employment legislation. There are some people, including perhaps Mr. Arthur Scargill, who will cheer like mad when they become aware of the nature of some of the proposals.

The Minister may have to tell us, "I am sorry, but we must apply this legislation." I appreciate, of course, that in these circumstances the House is pretty irrelevant. It will certainly be irrelevant when about 80 per cent. of our legislation stems from Brussels. It remains vital, however, that we secure proper policing if we take the step—it would have horrified Oliver Cromwell, and probably Charles I as well—of transferring our sovereignty and the responsibility for the making of laws to another legislative body. We must ensure that there is proper policing and implementation in Brussels, which has always been the position here.

Mr. Dalyell: I understand that the hon. Gentleman does not have the necessary resources to make exact calculations, but he has obviously thought about these matters. What would be the general costs of the policing that he advocates?

Mr. Taylor: The costs would be minimal in comparison with the costs of having unequal laws applied. I shall give the hon. Gentleman an example. The House will remember the Southend bus episode and the claim by the Frankfurt länder that there was no suitable place to park a bus. It is necessary to have someone who is in a position to say, "If 800,000 vehicles can be parked in Frankfurt, room can be found for one more bus." There must be someone with authority to say to a member Government, to a länder or a local authority that what it was doing was contrary to the provisions of the treaty and counter to the regulations. A small implementing force would have real effect. There is no point in transferring sovereignty unless we have proper policing.

The Government have no right to determine whether these proposals are enacted. We shall have to try to persuade Denmark, Italy, Greece or Portugal to add their weight to our submissions. The Government cannot say what the law will be because they have no control over what will become law. We cannot say what the law will be because we are in the same position as the Government. Whatever law is applied by the Council of Ministers, it would be nice if it were properly policed and fairly applied.

6.15 pm

Mr. John McAllion (Dundee, East): The hon. Member for Southend, East (Mr. Taylor) painted an improbable picture of Arthur Scargill and Oliver Cromwell facing each other on opposite Benches. If that were to be the position, I would not like to predict who would come out on top.

The Minister has shown concern about the dilution of the sovereign rights of the House vis-a-vis the European Community and the European Parliament. Concern has been expressed about British employers having to face stricter regulations and health and safety standards than

employers in competitor countries. Concern has been expressed also that harmonisation might lead to an increase in the rights of workers to participate in the management of their companies. We heard no concern expressed about the establishment of acceptable minimum standards of health and safety at work across the European Community and in Britain especially. That is a sad reflection on the priorities of Conservative Members. As my hon. Friend the Member for Edinburgh, East (Mr. Strang) said, last year there were 700 deaths as a result of major accidents at work. There have been tens of thousands of deaths as a result of occupational diseases as well as tens of thousands of major accidents.

When the Minister opened the debate, he said that the documents reflect the move towards the single European market in 1992 and increased European activity in improving health and safety at work. It seems that the Minister does not consider that Britain will lag behind other EEC countries. He believes that we shall have to face the task of raising the standards of other European countries so that they match our already high standards. The motion asks the House to support the proposals in principle as a step towards the establishment of comparable high standards of health and safety throughout the Community. The Government are telling us, in effect, that Britain should take the lead in imposing health and safety standards across the EEC. Those are fine words, and it is good to hear the Government profess that they are concerned about the standards of health and safety that apply to workers throughout Europe.

The Government's protestations are hardly convincing. We must consider their record since they took office in 1979. The Minister has said that British standards will not be diluted, but some Conservative Members have said that the key is the administrative machinery in any individual member country and not standards of health and safety that are set out in legislation. There must be effective machinery to enable individual member countries to enforce the standards that are laid down in law to meet the health and safety standards for workplaces. Our administrative machinery leaves much to be desired, and I hope that the Minister will respond to that comment when he replies.

Since 1979-80 the Government have relentlessly pursued expenditure cuts. That has led, directly or indirectly, to a freeze on recruitment to the Health and Safety Executive and a reduction in the strength of the factory inspectorate from 764 in 1979 to fewer than 550 today. There are only 49 factory inspectors for the whole of Scotland. No Government can be proud of such a record. It is all very well for the Minister to profess concern about standards and to talk about raising European standards to the already high British standards, but actions must speak louder than words. The actions of the Government have shown that they lack any commitment to the enforcing of health and safety standards in Britain. They should direct their efforts to enforcement here before they start preaching to other European countries.

Symptomatic of the Government's lack of action in encouraging the enforcement of health and safety standards is the closure of the Health and Safety Executive's office in Dundee in April. It was closed despite the presentation to the House of a petition bearing 4,000 signatures. I presented the petition, which was organised by one of my constituents, Margaret Malcolm. It united almost all public opinion in the city in support of retaining the office. The petition was ignored by the Minister and the Government generally. The office was closed despite the fact that in the week preceding closure a blitz by out-of-town inspectors on the construction industry in Dundee led to more than 250 prohibition notices. That highlights the fact that much is left to be desired in terms of health and safety standards in workplaces.

To give some idea of the significance of the issuing of 250 prohibition orders in Dundee, we can compare that with a similar blitz in London which even I, as a representative of Dundee, would admit is a bigger city than mine. In London 350 prohibition notices were issued, yet 250 were issued in Dundee. The Government's answer was to close the Health and Safety Executive office in Dundee and to tell the people there that they will be covered by the offices in Aberdeen and Edinburgh. Because of understaffing, those offices are already overstretched and they will be even further stretched by the closure of the Dundee office.

All that is a far cry from the all-party agreement in 1974 about target staffing of 4,000, including more than 1,050 factory inspectors, for the Health and Safety Executive. Those targets have not been achieved by the Government. The Government have fallen far short of the figures, and there has been a reduction in staff from 764 to fewer than 550 since 1979.

The Minister also boasted that the British figures for fatal accidents were among the best in Europe. What about the figures for major accidents? They have risen 30 per cent. since 1980, during which time staffing levels of the factory inspectorate have fallen by 28 per cent. If the Minister cannot see a connection between those two facts, he is the only one who cannot.

We live in times when the demands on the factory inspectorate and the Health and Safety Executive are increasing. More workers than ever before are covered by the Health and Safety at Work etc. Act 1974. For example, the Health Service has lost Crown immunity against prosecution. That means that there are many more workplaces for factory inspectors and other inspectors to cover. New European directives require inspectors to accommodate more detailed and complex standards and to investigate more workplaces more closely.

We live in times when the workplace is becoming ever more dangerous—and the King's Cross and Piper Alpha disasters testify to that. In Dundee last Friday more than 200 16 and 17-year-olds ran out of entitlement to bridging allowance and were forcibly conscripted into training places under the youth training scheme. No one knows what standards of health and safety will apply to those training places because the Government have abolished the area manpower boards which used to have local authority and trade union input to monitor and defend standards for YTS places. Those boards have been swept aside and 16 and 17-year-old youngsters are being forced into jobs in which no one can guarantee that the health and safety standards will be acceptable. It is strange for the Government to boast about their record on health and safety in the light of that.

The Government's commitment to health and safety is entirely a paper one. They do not really mean it. Far from telling us that we should support the directives in principle —which I hope all my colleagues will do tonight—they should tell us what they are going to do to enforce the principles and standards of health and safety which will reach the statute book.

[Mr. John McAllion]

When the Minister replies I hope that he will tell us what the Government intend to do about proper funding and staffing for the Health and Safety Executive and for the factory inspectorate. I hope that he will also tell us whether it will ever be in the Government's remit to reopen the office in Dundee, which the people in Dundee demand should be reopened in the light of increasing dangers to youngsters and many other workers in the city as a result of the lack of application of health and safety standards which the Government should be defending.

6.23 pm

Mr. Jonathan Aitken (Thanet, South): Like the hon. Member for Dundee, East (Mr. McAllion), we are all in favour of good health and safety at work legislation. It is one of those "motherhood and apple pie" political issues which no elected Member of Parliament can possibly oppose. The vast generalities of principle that we have heard enunciated tonight are in many cases so broad and vague that naturally we are all in favour of them. However, when we get down to the small print in the directives, a new and rather more disturbing picture emerges.

I begin with a strong word of protest which is general to our proceedings this afternoon and specific to this motion. My protest is that it is a physical and parliamentary impossibility for the House to scrutinise EEC directives and documents on the basis requested by the Government today. We are being asked to scrutinise more than 450 pages of highly technical draft legislation, which may have very profound effects and which are of considerable legal complexity, all in the course of half a day's business. That asks us to take part in a charade, a sham and a fraud on our constituents. The health and safety directives will affect every employer, employee, worker and workplace in this country, and they run to more than 175 pages. That is equivalent to three or four major Bills by British domestic legislation standards.

I heartily endorse the point made by my hon. Friend the Member for Southend, East (Mr. Taylor) that, if we were dealing with the directives as British domestic legislation, Committees of this House would examine them for weeks and the Chamber would debate them for days to get the legislation right. However, we are now going to devote no more than an hour or two of debate to 175 highly technical pages and then throw them to the mercy of the Brussels wolves for majority voting. They will never return to this House in a form in which we can influence or change them. The children's fairy story of the emperor who had no clothes has been replaced by the parliamentary story of the House of Commons that has no time and no power.

Even if we do not have legislative power, at least some of us have the will power to warn the House and the country that some of the EEC directives contain unacceptable material of a kind which is in danger of making 1992 a 1066 for Britain and British industry. In saying that, I am doing no more than voicing the great concern expressed by my right hon. Friend the Prime Minister in Bruges on 20 September when she voiced some anxieties about what Mr. Jacques Delors calls the social dimension of the EEC's legislative programme. My right hon. Friend the Prime Minister said:

> "We certainly do not need new regulations which raise the cost of employment and make Europe's labour market less flexible and less competitive with overseas suppliers."

Later in her speech in Bruges she said:

> "Our aim should not be more and more detailed regulation from the centre."

I am surprised to see the directives and the motion appearing in the name of my right hon. Friend the Prime Minister, who said one thing in Bruges while her colleagues appear to break her Bruges commandments with the introduction of the directives.

The general principles of the draft directives may be found in the explanatory memorandum on page 2 of the 175-page bundle under discussion. Paragraph 2 states:

> "The main aims of the proposal are:
>
> to improve the safety and health at the workplace"—

and we all agree with that—

> "to provide a 'social element' to complement the economic objectives of completion of the internal market."

Paragraph 4.1.2.1. of the financial record sheet, headed

> "Characteristics of the proposed Directive",

states that the proposal

> "may be adapted and supplemented . . . to add a 'social element' to the directives of the 'technical harmonisation—internal market' type which relate to the safety and health of workers . . . without having to draw up a complete new directive on social aspects in each case."

That reads suspiciously like a complete political blank cheque to add new paragraphs and principles to the draft directives in order to encompass social dimension objectives. I worry not about the health and safety elements of the proposals, but about the social market and social engineering dimension.

Mr. Cash: Does my hon. Friend agree that the proposal before the House significantly pre-dates the Bruges speech? My hon. Friend is correct in saying that the recitals refer to a social element introduced under the directive. Only the other day, during Prime Minister's Question Time, my right hon. Friend stressed the importance of scrutiny. We are engaged in doing precisely that. Obviously we need to get further back in the decision-making process, so that we may deal with such matters at an earlier stage.

Mr. Aitken: My hon. Friend puts his finger on a profound and important point. Of course we should be getting further back in the decision-making process. This is just an empty ritual, in which our words will not be heeded or have any influence. Even the Prime Minister's Bruges speech is not being heeded. It is all very well for my hon. Friend to say, rightly, that that speech post-dated the directives, but I should like to see a thundering good row at the Rhodes summit.

Mr. Cash: We will probably get one.

Mr. Aitken: I think that that is a good bet. At least we are giving more power to my right hon. Friend the Prime Minister, if that is necessary—which I doubt.

The directive's social engineering content will in the 1990s do for small workplaces and factories what the Fire Precautions Act 1971 did for small seaside landladies and keepers of boarding houses—drive a good many of them out of business in the name of highly theoretical preventive safety standards. If we ever reach the stage where a statue of Mr. Delors is erected in every town where the regulations destroy a business, he will become one of the most famous anti-heroes since Guy Fawkes.

I ask right hon. and hon. Members to consider for a moment the mass of social engineering detail contained in the proposals, which will undoubtedly push up the costs incurred by small factories. I think of the struggling small factory units in my own constituency and what they will have to cope with if the directives are enforced, and I worry profoundly about them. I read, in the 175-page bundle, nuggets such as that to be found in paragraph 2.7.1:

"The floors of workplaces shall be level, with no unevenness."

In paragraph 2.7.3:

"All-glass partitions . . . shall be made of safety material."

Paragraph 2.9.4:

"Sliding doors shall be fitted with a mechanism to secure them from being lifted off their mountings and falling out."

Paragraph 2.14.3:

"Appropriate measures for the protection of non-smokers shall be taken in staff rest rooms."

That is a good health and safety at work directive—or what I shall call an example of social engineering. Paragraph 2.16.1:

"A first-aid room shall be provided",

not just a first-aid box, in factories over a certain size. Paragraph 2.5.3:

"Climate control installations shall not blow or radiate on to work stations."

Paragraph 2.18.1 states that outdoor workers shall be "protected against inclement weather conditions." I can imagine shepherds in the Scottish highlands or North sea trawler deckhands calling in the Euro inspector and saying, "Paragraph 2.18.1 says that we should be protected against inclement weather conditions."

Apart from those Utopian ideals, there are pages and pages more of detailed technicalities and regulations covering machines and protective equipment. There are 56 pages of proposals—for example, that personal protective equipment shall take account of ergonomic requirements and of workers' health. It will be a barrack-room lawyer's charter—a lawyer's gravy train. Claims by employees against their employers will surge.

I ask the same basic question that was asked by the hon. Member for Bradford, South (Mr. Cryer): will any of the proposed EC legislation raise standards over and above those that already prevail, thanks to our basic legislation, such as the admirable Health and Safety at Work etc Act 1974?

Will harmonisation and standardisation of the EEC type mean anything more than higher costs and fewer jobs for British factories? I doubt it. I believe that we are going down a dangerous slippery slope of agreeing willy-nilly to any European proposal. The principles may sound good, but when one does one's homework and studies the documentation—and it took me 11 hours to study the 450 pages of bumf that accompanies these regulations to discover a few salient points—the more one comes to the conclusion that such half-baked, ill-thought-out Euro legislation, when compared to the much sounder legislation on our own statute book, is leading us, in a most un-British way, to adopting legislation that will do our country no good whatsoever and perhaps a great deal of harm.

6.35 pm

Mr. Bob Cryer (Bradford, South): I do not share the views somewhat scathingly expressed by the hon. Member for Thanet, South (Mr. Aitken). However, it is an important subject. Each year we lose more working days from industrial injury than from strike action.—usually two or three times more, if one excludes exceptional years such as 1979.

Where I differ from the hon. Member for Thanet, South is in my belief that workers should be provided with level floors. If they are carrying heavy loads, or are manoeuvring delicate items, it is important that floors are level and that workers can move about unimpeded. There should be no difference between us in that regard. Not all workshops have the same thickness of carpeting that we have in the House, or the kind of flooring that is scrupulously maintained. We should try to apply the fairly lush standards to which we are accustomed and bear in mind workers' difficulties.

Where I take issue with the massive documents is that they are a recipe for lowering the standards that we already have from United Kingdom legislation. Those in the Labour party and in the trade union movement who are looking to the Common Market as a way of getting around the British Government in attempting to improve standards are looking for moonshine. Our experience is that the Common Market has never provided any improvements in workers' standards. It has devised several high-sounding phrases, and one may consider, for example, the Vredeling directive, which claimed that workers should have rights to information.

What has happened to that proposal? It has been under review for five years, and will continue being under review because it represents a radical change in existing practice. I support any improvement in workers' rights, as I supported the recommendations of the Bullock committee, but that task is one for the Labour and trade union movement to tackle in the United Kingdom, rather than attempt to do so by a back door method that may or may not work. Our experience is that such attempts do not work.

I share the views that have been expressed about the unsatisfactory nature of this debate. To be required to scrutinise this number of documents and pages in this way is less than satisfactory. It really is outrageous. The point has been made that it is the equivalent of a major item of legislation, such as the Housing Bill, where there would normally be 200 or 300 Lords amendments and hundreds in Committee upstairs. We would usually spend 100 or 150 hours in Committee before the Government subjected the measure to their usual guillotine. Instead, we are here dealing with highly technical and complicated matters in the course of three or four hours in one evening. That is less than satisfactory.

It may be argued that we can scrutinise these matters as a member of the EEC Assembly. Incidentally, I understand that it is now called a Parliament, but I never give it that grandiose and mistaken description. In case right hon. and hon. Members do not know, so-called debate in the Assembly is in reality a stitch-up by party leaders, whereby time is allocated down to the last minute, and a major contribution may last only three or four minutes if the speaker is lucky. No real debate takes place.

[Mr. Bob Cryer]

Provisions can be altered only by amendments which are tabled and voted on. Most of the Assembly's time is devoted to voting.

The Assembly might vote on these proposals without debate or with hardly a comment. Voting on the electronic machines, which keep breaking down, might take three, four or five hours. It is an illusion that there will be a little democracy in Strasbourg this week when these documents are debated. Hon. Members do not always know that that happens. If they are like me, it is not until they witness this anachronistic charade in the Common Market that they realise it.

Mr. Cash: Did the hon. Gentleman see an article this weekend in *The Economist*, entitled "Silly Parliament", which illustrates his point? The article referred to a motion which apparently was based on rumours and nothing else, but was passed by a significant majority.

Mr. Cryer: That happens frequently. I do not want to seem like a 19th century constitutionalist. Although there are many points on which one can criticise this place—I am willing to air them—because the system has developed over the years, there are a large number of loopholes allowing Back Benchers like me to raise issues and put forward views. Unsatisfactory though this debate is, compared with the European Assembly we shall have two or three hours of an exchange of views. Because my views do not often accord with the tenets of the Socialist group, the opportunities for the "dissident voice" to be heard in the EEC Assembly are limited. I hate to sound as though I am a 19th century proponent of Parliament, but it is a richness of this place that the dissident voice can be raised frequently.

Mr. Teddy Taylor: If the hon. Gentleman were able to make the excellent speeches in the European Assembly that he can make here, would he at least agree with the basic point that, irrespective of what the European Assembly or the House says, the Council of Ministers can do whatever it likes and ignore the views of the Assembly and the House?

Mr. Cryer: That is true. Commissioner Marin, who is responsible for the production of some of these documents, told the Assembly last month that he was prepared to disagree with its views. He bluntly said that the conciliation machinery of the Single European Act must be invoked and that he did not accept what had been done, so even the Commission appointees, who, as we know, are subject to patronage, can turn round and tell the Assembly where to go, and they frequently do so.

Rev. Ian Paisley: Is it not a fact that, when matters concerning Ministers of the Council are discussed, sometimes their Bench is empty and the Parliament is talking to itself?

Mr. Cryer: There are frequent complaints about that.

Because it is difficult in a short speech to encompass the complexity of these proposals, I shall pick out page 15 in annex I in the pile of documents which starts with a translation of a letter from Mr. Marin and is numbered SOC 43. It is difficult to pick out the relevant quotation. On the minimum requirements referred to in article 4, paragraph 1, in annex 1 on "The definition of 'machinery' in the Directive concerning the design, manufacture and placing in the market of machinery", the document says:

"The moving parts of a machine shall be protected, if the work allows, by a guard to prevent contact with the workers."

Section 14 of the Factories Act 1961 is much more comprehensive. It states:

"Every dangerous part of any machinery, other than prime movers and transmission machinery, shall be securely fenced unless it is in such a position or such construction as to be as safe to every person employed or working on the premises as it would be if securely fenced."

The Act imposes an absolute obligation, which compares with the rubbery, qualified statement in the document:

"The moving parts of a machine shall be protected, if the work allows, by a guard to prevent contact with the workers."

How does that affect the workers? Because section 14 of the Factories Act 1961 provides an absolute standard, it is much easier for an injured worker to demonstrate to a court—the Act provides for a criminal penalty, but real compensation for a serious injury is obtained through the civil courts—that there has been a breach of the Act. The worker can say, "The employer was negligent and, therefore, my claim will be successful." That is important for a person who will not work again because he has injured his back, lost the use of a limb, or whatever. Many thousands of serious accidents occur every year. The 1961 Act is an important guide to provide some compensation for people who are not likely to work again in their former job or who are likely to have only a light job. I raised that matter during the Minister's speech, but he was not able to give me a clear assurance that the Factories Act 1961 would be retained and given priority over the Common Market proposals.

Any regulations to implement these directives will presumably—the Minister agreed—be introduced under the provisions of the Health and Safety at Work, etc. Act 1974. Section 1(2)——

Mr. Cope: I think that I inadvertently referred to section 2(1). The correct provision to which I intended to refer was section 1(2).

Mr. Cryer: I am grateful to the Minister for confirming that I am correct. Section 1(2) states that regulations must be

"designed to maintain or improve the standards of health, safety and welfare".

That is a clear statutory obligation on the Minister. No directive to be implemented through regulations could lower standards. The Minister must therefore give a clear assurance to the House that he will not introduce regulations that will breach section 1(2) of the 1974 Act.

It would be useful to be given an assurance that there will be no attempt to repeal the Health and Safety at Work, etc. Act 1974. People may say, "It is a well-established Act. We all agree on it." We were all agreed on the Trade Descriptions Act 1972, yet last week an order was passed repealing that legislation because the Commission was challenging it in the European Court.

The Minister may argue that the treaty of Rome provides that member states shall have the right to allow an improved standard if they wish. These directives are being considered under article 118A of the treaty of Rome. The treaty provides an opportunity for both the proponents and the opponents of the directives to go to the European Court. The treaty is not a safeguard. Article 118A says:

"Such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings."

An employer could go to the European Court and say that his business was being inhibited by the regulations under the Health and Safety at Work, etc. Act 1974 and that he challenged them. Our legislation is, by and large, tried, trusted and well-respected, but it could be open to challenge.

Paragraph 3 of article 118A says:

"The provisions adopted pursuant to this Article shall not prevent any Member State from maintaining or introducing more stringent measures for the protection of working conditions compatible with this Treaty."

That provides the Minister with a safeguard, but it is, as is usual with the Common Market, a highly qualified safeguard.

It is unsatisfactory that further legislation should be enacted by means of statutory instruments. Under the affirmative or the negative procedure it is either all or nowt. We cannot amend statutory instruments, although they can be as complicated and comprehensive as primary legislation. It is most unsatisfactory that great chunks of legislation that are being spewed out by the EEC bureaucrats should be debated here so briefly. They will come before the House later in the form of regulations that will be either adopted in their entirety or rejected. The Whips will get to work. They will talk to Conservative Members and get virtually anything that they want through the House, because only a few of them realise how serious it is to erode the powers of the House.

We cannot even enforce uniform standards in this country. I have in my hand a report from the West Yorkshire low pay unit, dated Wednesday 27 April 1988. It points out that accidents in West Yorkshire are increasing. On page 2 the report says:

"In the year 1986-87, the rate of local authority inspections per 100 premises covered was Bradford: 49"—

I imagine that under Bradford's new Tory control that number will plummet—

"Calderdale: 38; Kirklees: 68; Leeds: 9; and Wakefield: 53."

It does not depend on whether the Conservatives or Labour are in control. Inspections vary, per 100 premises, from nine on the low side to 68 on the high side. How can we except uniformity of inspection in the Common Market by the application of measures that are designed to implement the Single European Act, which is expected to create a single European market in 1992?

There is no inspection of small firms in some EEC states. In other EEC states there is no definition of small firms. Small firms in this country are defined, following the Bolton committee recommendations, as employing up to 200 people, but in other EEC member states small firms are commonly defined as employing fewer than 500 employees. There is a yawning gap. I hope that the Government will fill that yawning gap, or chasm, by creating uniform standards. It is virtually impossible, however, for 12 member states to create uniform standards. In Spain there are virtually no inspections. We can ensure that action is taken in this country, but how can we ensure that action will be taken in Spain, Holland or Belgium? We cannot require their inspectors to prosecute those who flagrantly breach the safety regulations.

United Kingdom inspectors are not too keen on prosecuting offenders. The record of the mines and quarries inspectorate is lamentable. Two workers died because of a fault on a Scotch derrick crane in a Cornish quarry owned by Amey Roadstone. The inspectorate did not intend to prosecute. It was only after I had asked a number of questions in the House that it eventually decided to prosecute. I was able to bring about that prosecution by exerting pressure in this place, but we do not have a cat in hell's chance of exerting similar pressure in the legislatures of other member states. Inspection and subsequent prosecution where breaches of the regulations have been proved will, to say the least, be patchy.

The Minister has not said what will happen if an employer argues that he is being undercut by, say, Belgian employers because their standard of scrutiny is not so rigorous as ours. How can we prevent an employer from going to the European Court and claiming that the competition is unfair and that under the section of the treaty of Rome that I have quoted United Kingdom standards should be lowered, not raised? The Minister may recall that, in a Committee upstairs that considers merit, regulations are being prepared that will lay down general minimum standards, many of which will be implemented by codes of practice instead of by primary legislation. I suggest to him that the draft regulations ought to be put before the House, not for debate, but so that the House could be consulted about them.

It is a matter of criticism that consultation documents are sent to all sorts of bodies but they are never placed in the Vote Office so that Members can consult them. I refer, not to White Papers or Green Papers, but to routine consultation documents, often of a technical nature, that should be provided for Members of Parliament, but they are not even placed in the House of Commons Library.

Are these regulations in draft form, known as the COSHH—Control of Substances Hazardous to Health —regulations, to supplant primary legislation? Will they depend more on codes of practice and less on primary legislation? Will they be provided to Members of Parliament for their consideration?

The removal of frontiers means that there will be no scrutiny of the importation of dangerous machinery. Under the Health and Safety at Work, etc. Act 1974 importers of dangerous machinery are obliged to provide a guarantee that their machines are safe for use by workers, but in practice that does not happen. Dangerous machinery is imported, unbeknown to anybody, and is put into use. Somebody is injured, there is then a hue and cry and the machinery is withdrawn, or guards are put on it or repairs are made. Polish light bulbs were not tested, and they exploded in people's homes. Dressings were imported from India, but they were found to be infected with tetanus, so they were not very useful as first-aid dressings.

That will happen again and again if there is no scrutiny of such imports. If we continue in this lacklustre, haphazard fashion and do not employ a single health and safety at work inspector at any of our ports, imported machinery is likely to be dangerous and to injure people. The French and the Germans will carry on their inspections, not at frontiers, but at exhibitions. They inspect installations as well. We should scrutinise machinery before it is installed.

These regulations, letters and minutes are unsatisfactory and I have strong reservations about them, although not for the reasons that Conservative Members have given. I believe that they will lead to a lowering of safety standards. Defending our people in factories, offices, shops

[Mr. Cryer]

and railway premises is vital, and to do that we must improve our standards by maintaining our legislation and ensuring that we have enough inspectors to enforce it.

7.2 pm

Rev. Ian Paisley (Antrim, North): It is appropriate that an hon. Member from Northern Ireland should take part in this debate because we have experienced what is now happening to the House.

Our legislation is done by Order in Council. We get a very limited time for debate—it is sometimes one and a half hours. Although I am able to table and move amendments to legislation that affects Scotland, England and Wales, I cannot table or move amendments to legislation that affects the area that I represent. The House passes detailed legislation affecting Northern Ireland but Northern Ireland Members are unable to amend it.

In the European context, the House will experience the same difficulty. As today, matters will come before the House but hon. Members will be unable to amend proposals or discuss them thoroughly. Out attention has been drawn to an important document, copies of which have been issued to many thousands of workers and managers in the United Kingdom. It is worthy of study by every hon. Member. The Minister made it clear that whatever was decided about the regulations would be decided by majority vote. The document, issued by the European Commission, says the very opposite. It says:

"items relating to taxation, the free movement of persons and the rights and interests of employees are excluded and will therefore still require unanimity under the Treaty."

Who is right? Is the Minister right when he says that a decision will be made by majority vote, or is the document sent out by the Commission of the European Communities, which has the authority of Delors himself, correct?

The document makes tremendous claims about what will happen in Britain when that wonderful date of 1992 is reached. We are told that we shall have economic gains of £140 billion or more and that millions of new jobs will be created. I remember the pro-Marketeers busily telling us that joining the Common Market would be a panacea for all our ills. We were told that a vast number of jobs would be created and that the challenge would be for people to step in and claim them. We are all deeply concerned about unemployment in our constituencies, so such promises, which are easily made and heralded in glossy documents, deserve our close attention.

How decisions are made is significant. There are three places where they are made. The European Commission is the initiator and the executive. The Council of Ministers is the decision maker. The European Parliament has a consultative supervisory role. It debates proposed European legislation and produces amendments. I have served with the European Assembly for almost two Sessions now, but one has only to go there to see how these issues are debated and settled.

The hon. Member for Bradford, South (Mr. Cryer) also attends the European Assembly. He spoke about the electric machines that are used for voting there. Most of the voting, however, is done simply by the raising of hands for the simple reason that the President tells us that there is not enough time to use the machines. It is quicker to vote by the raising of hands. People raise their hands for hours on end.

Mr. Cash: Does the hon. Gentleman agree that the document raises serious constitutional issues? This is not some vague constitutional theology but a practical issue. Some 50,000 of these documents have been distributed at every level. Every trade association and every company has received one. That process totally—and apparently deliberately—ignores the existence of the United Kingdom Parliament. Ministers are responsible for carrying out Community legislation which is imposed on us as a result of the European Communities Act 1972.

Rev. Ian Paisley: I agree, but the House took the decision to join the Common Market. We agreed the Single European Act. We shall continue to go down this road. As the hon. Member for Southend, East (Mr. Taylor) has said, we have been left with a policing role. It is beyond us now to change what is happening. The House can talk and talk and even vote, but its votes will have no effect because the Council of Ministers will make the decisions. Its decisions will be the law irrespective of whether we like it.

I have a large agricultural sector in my constituency, and we have a processing factory. I was invited, as a Member of the European Assembly, to look around the factory. I spent a day there, and noticed that there were two, three and sometimes four men in each room. I asked who they were and was told that they were EEC inspectors. I was told how many there were. I asked how many I would find if I went that day to a similar factory in France. They said, "You would be fortunate if you saw one." How can any factory compete on those terms? That factory has to pay those inspectors and to police the situation. In those circumstances, it will be impossible for us to compete in the glorious, unlimited market in which millions and billions of pounds can be made.

I agree with the hon. Member for Southend, East that it is a matter of policing and that the House must say to the Common Market, "If these are your rules, they should be the same rules for Spain, Italy, Portugal, France, the Benelux countries and Denmark, and you must keep them." But that is not happening. The same thing happened with fishing when the fisheries Minister of the Republic of Ireland turned a blind eye to the quotas for herring and could not see any ships flying his flag taking herrings above the quota that had been arranged. I went to see the Secretary of State who at the time was a former member of the Royal Navy. I asked him to turn a blind eye, as Nelson did, and do the same for us. He said, "No. If anybody breaks the law, my men will seize their nets and they will pay the price." That is exactly what happened.

We keep the police and EEC rules so well that we are putting our people at a disadvantage. The Common Market goes on breaking its own regulations. In a previous debate today we heard about the directive on shipbuilding. One wonders why they can compete so well, with all the hidden subsidies that they receive.

I am also concerned about the way in which the regulations will be made. I believe that there should be the best possible health and safety for workers and that we should have the highest possible standard. A great deal of good work has been done in the past by workers and by management to bring that about and there is a good

heritage in the workplaces of the United Kingdom which should not in any way be surrendered. It worries me that the memorandum states:

"Most of the necessary changes could be effected by Regulations made under the enabling powers of the Health and Safety at Work etc. Act 1974".

I should like to ask the Minister—I asked him this before but he did not have time to dwell on the matter—in what way the regulations will be brought before the House. If, for instance, the regulations were rejected by the House, would not the sovereign power of the EEC supersede even the House and would not the laws be brought to bear upon the whole Community? We need some explanation from the Minister on that. He spoke about cases in which powers under the European Communities Act 1972 could be used. Is he proposing an Order in Council system? Will they be affirmative resolutions? Can they be prayed against? What method will be used if any changes are made? It is important that the British people should know what is happening.

I am glad that the hon. Member for Stafford (Mr. Cash) has put the document to the Clerk and to the Speaker. I consider that the document challenges the authority of the House. It says that the United Kingdom Parliament has no say in regard to laws. It is not even mentioned that the European Commission, the Council of Ministers and the European Parliament are supreme and that through those channels alone shall the laws of this country be made and applied. That is a most serious constitutional point. The House needs to take cognisance of it and it should be pressed home at every opportunity to the Government, to the Speaker and to the House.

7.14 pm

Mr. Elliot Morley (Glanford and Scunthorpe): We have had a very interesting argument and some strange alliances have been formed between the two sides of the House on some of the issues of concern. However, the arguments about the loss of sovereignty and involvement of the House are somewhat academic now that we are part of the Common Market. I campaigned against joining the Common Market. Nevertheless, now that we are part of it, we have to accept its rules. The speeches by the Prime Minister, such as the one at Bruges, are empty rhetoric and meaningless in terms of how the procedures will operate, as are her speeches against the common agricultural policy because Britain is only part of the European process. However, it is not all negative and there are advantages in the directives because they apply to all countries.

An argument that has been put to me, and echoed tonight, is that small companies do not object to health and safety legislation so long as that legislation applies fairly across the board and they know that they are not being put at a disadvantage in this country when other countries may be ignoring that legislation. That is relevant to the enforcement of legislation in this country and abroad.

It is likely that the European Parliament will try to impose minimum standards and allow individual countries to decide whether to have higher standards. That is why it is important that the legislation should be seen not as imposing the existing standards for health and safety but the minimum standards.

The Minister will correct me if I am wrong, but I am concerned that the directives do not apply to temporary or mobile work sites. Therefore, they will not apply to building sites. I believe that one of the major weaknesses of the Health and Safety at Work etc. Act is its lack of enforcement in places such as building sites and mobile firms such as contractors.

Accidents on building sites have more than doubled in recent years. Only in the past few weeks one of my constituents who was working on a building site in the south of England was tragically killed. I cannot say much about that because there will be an inquest. In another case in my constituency contractors working for the British Oxygen Company were concerned when one of the workers contracted legionnaire's disease. I understand that even though they were concerned about that issue, and even though the Health and Safety Executive was called in—I am not criticising the company which went through all the proper channels for dealing with the case—the workers were ordered to go back to work or face the sack. It concerns me that people should be put in that invidious position before they had been reassured that the risks to their health and safety had been cleared and that the correct procedures had been followed to their satisfaction.

With only just over 500 health and safety inspectors in Britain, how can we be sure that we can enforce the legislation in this country, let alone in Europe? I suspect that when the directives go to other European Paliaments, people there will say, "Look at the United Kingdom. Have we any confidence that it can enforce the regulations?".

The same arguments that we have heard tonight about unfair competition and other countries not applying the letter of the law as closely as we do will be applied against us. We should put our own house in order. Unless we have the correct enforcement procedures and the correct number of inspectors, and unless we keep an eye on building sites, construction sites and contractors' firms, which by their very nature are difficult to watch, the directives and our present laws will simply be a paper tiger with no teeth. They will not be able to protect the work force, which is what they are intended to do. That is the key issue to which we should attend. If we adopt these draft directives, they should be seen to work not only in Europe but in Britain.

7.20 pm

Mr. James Cran (Beverley): I cannot pretend that all the arguments have not been rehearsed ad nauseam—and quite rightly. I associate myself with the remarks made on both sides of the Chamber on the importance of the issues before us. I also add my voice to the condemnation of the fact that we have no time to deal with these major changes.

I am somewhat mollified by what my right hon. Friend the Minister said. I hope that he will forgive me when I say that I shall look carefully at *Hansard* tomorrow. I think that he will agree with me that the representative bodies are worried by the draft directives. They feel that if they are allowed to go through unamended, the competitiveness of individual companies may be adversely affected. I know that that point has been made to my right hon. Friend and that the industrial sector in Britain hopes that the draft directives will be heavily amended.

I agree with those who have said that the ball is in the Government's court. As a Member of Parliament, I shall be able to say a great deal about the directives, but I shall have no influence on the matter.

[Mr. James Cran]

The approach and concept of the draft directives are defective. We have talked about high standards and, in the United Kingdom, high standards are not a problem. I think that it is accepted on both sides of the House that standards in the United Kingdom are very high. The problem—and I am grateful that my right hon. Friend the Minister dealt with it—is that these are very detailed directives and they are a departure from what we have been used to in the United Kingdom in terms of health and safety legislation. I say to my right hon. Friend the Minister, in as polite but strong terms as I can, that the directives will not help employers in any way. Those involved know from experience that the more detailed the health and safety legislation, the lower the standard at which companies tend to implement it.

I agree heartily with the hon. Member for Bradford, South (Mr. Cryer), who is not now in the Chamber. I thought that I might feel uncomfortable agreeing with him but I do not, because he was correct. There is a danger that, if the directives go through unamended, there will be a drop in standards in the United Kingdom, and I would be against that. As has been said, that will apply particularly to small and medium-sized enterprises. Is that not ironic when one looks at paragraph 4 of article 118A of the Single European Act, which says that the directives should impose as few constraints as possible on small and medium-sized businesses? The draft directives will do the opposite. That is said not only by me but by the representatives of British firms and companies.

I have looked at many regulations affecting industry over the years, and I can say that these draft directives bear all the hallmarks of excessive haste in drafting. I have found no one who deals with issues such as this who disagrees with that proposition. There has been inadequate consultation by the European Commission, but not by the Government. The Government have been trying to rectify the inadequate consultation. It is regrettable that the little representation sought by the EEC has been largely ignored. Ultimately we will have a terrible muddle, the resolution of which will involve the Council of Ministers in endless, protracted discussions.

Absolute safety at work is impossible. Anyone who has anything to do with safety at work is aware of that. However, that does not mean that we are not unified in wanting to attain the highest standards possible. The draft directives try to achieve perfection, but the Confederation of British Industry, in this regard, said:

"Requirements in the directives for absolute safety have the potential to force employers to lay off their employees and bring industry to a halt. No employee would ever be allowed to climb a ladder again."

I would be the first to admit that that is a strong statement and may be something of an exaggeration. However, it gives the House the flavour of what the industrial community feels about the draft directives—that in their present form they are unacceptable. I suggest to my right hon. Friend the Minister, as has the industrial community, that the EEC Commission could do no better than to look at what we have achieved under successive Governments of both political persuasions. In Britain we have sought to provide protection

"so far as is reasonably practicable."

That is not what is being enshrined in the draft directives.

We must remember that employers in the United Kingdom cannot get away with blatant breaches, because they are subject to scrutiny by the Health and Safety Commission and the courts. On those principles we have achieved some of the highest standards of health and safety in Europe.

A great deal rests on the Government in the negotiations and parleying that has to be done. I have every confidence in my right hon. Friend the Minister because I know what he has achieved in other areas. However, what he has to achieve here is critical. If the draft directives go through unamended, we will have lower standards of health and safety in Britain than any of us want.

7.28 pm

Mr. Frank Haynes (Ashfield): We have to say, "I told you so." Many hon. Members who have spoken today said that joining the EEC was the wrong move and that people would rue the day that that decision was made. It is obvious that we were misled by the Minister today about what is in the documents on health and safety at work.

I am sorry that the hon. Member for Thanet, South (Mr. Aitken) is not in his place. He made a typical bosses' contribution. I do not want to make a typical trade union contribution. Safety is the responsibility of management, workers and trade unions, and I stand four square on that. That was my experience throughout many years in the mining industry.

I like some of the suggestions made in the documents, but the Commission has gone over the top. Hon. Members mentioned the Prime Minister's speech in Bruges, and I recalled what we were saying when the application to join the EEC was being made. I did not hear the Prime Minister saying that we should not join; the Government made us join and we must accept it. I hate to think what will happen in 1992. I honestly lose sleep over it because I can visualise many of the rights that we have had for hundreds of years being thrown away. We will be controlled from the other side of the channel; we will lose our sovereignty. I remember the contributions made by the former right hon. Member for South Down, and what he said has come true.

The Minister talked about costs, but what about industry? The prominent industry in my constituency is coal mining. It is a heavy, dangerous industry and it has experienced problems with safety. The management and men work together. Management inspections are made underground and on the surface and workmen's pit inspectors make inspections on the surface and underground, but there is another body that has overall responsibility—Her Majesty's mines and quarries inspectorate, which was set up under the mines and quarries legislation. I do not know how often I have had to ask the Minister when we will have the appropriate number of inspectors. We have nowhere near enough mine inspectors.

Alf Robens was chairman of the National Coal Board. He cut back on this, that and the other, as the Government are doing. He also cut back on spare parts and safety. I worked in the pits, so I knew exactly what was going on. The result was that the number of accidents and fatalities rocketed. If the Minister looks at the figures for fatalities and accidents for that period he will see that I am right. The system worked all right, but not enough was done to prevent accidents.

Lifting is mentioned in the documents. That is an important part of working in mining or heavy industry. People should be taught how to lift because there is a proper way to do it. My hon. Friend the Member for Hemsworth (Mr. Buckley) has experience of the mining industry and knows exactly what I am talking about. There is a way of lifting heavy materials, but there was not enough time to teach miners how to do it. The men would have had to learn in their own time. They were not told that they should have their body in a certain position when lifting heavy things. Back problems were one of the main causes of people being off work.

Compensation has been mentioned. A complete change has taken place in the mining industry. It is no longer the National Coal Board but British Coal, and we have a different kind of management. The amount of compensation won in the courts every year because of negligence by management rockets. The industry has not the right set-up for the prevention of accidents. Somebody does something about a problem only after the horse has bolted.

During the Robens period there were not enough spare parts. There might be a heavy fall on a coal face, but if there were not materials to shore it up the men had to work beneath it. Management was adamant that the machines and supports, which cost millions of pounds, should pay for themselves. I am afraid that with the Government's privatisation policy for the industry we will go back to the bad old days that I worked in many years ago. Nationalisation improved the coal industry; safety was the top priority. Before nationalisation, profit was the top priority, men's earnings were second and safety was third. Safety was almost ignored.

It would seem that we will not have any opportunity to veto these directives. The Minister has not convinced me about the documents; I have been convinced by what his hon. Friend and my hon. Friend the Member for Edinburgh, East (Mr. Strang) said. I well remember some of the remarks that were made when my hon. Friend and I served on the Committee dealing with the Employment Act 1988. It came out loud and clear what was happening to health and safety throughout Britain. We are not what we should be and I do not think that we will be what we should be under these directives. I think that the Commission has gone over the top, but it is correct in some of the suggestions that it has made. Europe will tell us what we should do.

In the mining industry—I am sorry to harp on about it, but I have a lot of experience of it—we have what we call workmen's pit inspections and the trade union pays for them. If the directives are passed, who will pay for those underground inspections? The trade unions have to pay for inspections done on behalf of the work force. Such inspections are part of the process of making pits safe for people to work in. Having worked under private ownership in years gone by, I fear what may happen if the Government bring in the sort of legislation they have promised. I am afraid we shall return to the pitfalls of those times.

If European legislation on safety for the workers will do any good, I welcome it with open arms; if not, I do not want to know about it. Some of the proposals are good, but I, like every other citizen in the country, want to retain the right for us to make our own decisions. I do not want to give Europe the right to tell us what to do.

7.41 pm

Mr. William Cash (Stafford): Unlike some of my hon. Friends, I am by no means pessimistic about our being able to continue to exercise the necessary influence over legislation emanating from the Community, given good will and determination. I have written a number of articles in *The Times* over the past year or two on this subject, and I can fairly say that I am by no means anti-European: I am very pro-European. However, I am also in favour of the reality, as compared with what some might call the theology, of democracy. I believe in the importance of this place and its scrutiny processes, as does the Prime Minister, who made that clear in an answer at Question Time recently.

Matters of this sort cannot be shoved under the carpet. We cannot allow legislation that is vital to our constituents to wash over us as if nothing has happened. We must not suppose that the great democratic institution in which we sit has no relevance for, or influence on, such legislation.

My right hon. Friend the Minister, for whom I have the greatest possible respect, gave us to understand that these matters are still under review, and my hon. Friend the Member for Beverley (Mr. Cran), with his great experience of the Confederation of British Industry, made it clear that they require review. The problem is that if the die has already been cast, how can we ensure that the influence of Ministers of the Crown who want change will be felt in the Council of Ministers? The directives with which we are dealing tonight are subject to majority voting under articles 118A and 100A of the Single European Act.

Many members of other national Parliaments in Europe may adopt a view that is similar to ours. I derive some confidence from that, but these matters will require a great deal of intensive consideration by the working groups and the United Kingdom permanent representatives, who must help Ministers to sort out the matter before the Council decision is ultimately adopted. I exhort them to do that.

These proposals are the kind of practical measures to which my right hon. Friend the Prime Minister referred at Bruges. The preamble to the directive refers to the introduction of a social element. I am by no means against many of the proposals in these directives. It is easy for people who want to stifle comment to suppose that we who raise problems that go to the heart of democracy do so because we do not want health and safety at work for workers. I do. Furthermore, I believe in the European Community. It has much to offer, but I will not be an uncritical lap dog of machinery which, as I have tried to point out in my recent articles, is by all accounts becoming increasingly autocratic. I have no intention of ceasing to refer to these important issues.

Turning to matters of detail, my hon. Friend the Member for Southend, East (Mr. Taylor) rightly said that the six directives amount to what could be regarded as a series of Government Bills on which we could be detained for a long time. I have no intention of going through the directives in detail, but I shall deal with one or two points in them which were brought to my attention by the Engineering Employers Federation, which represents 5,000 member companies in this country. I have no interest to declare in connection with the federation, except to say that I welcome its interest, which partly arose because its members noticed one of my articles and said that they, too, were concerned.

[Mr. William Cash]

Document COM 88/76 Final, relating to personal protective equipment, states:

"Article 118A of the Treaty provides that the Council shall adopt, by means of Directives, minimum requirements for encouraging improvements".

The idea is to encourage, not to oblige. I shall not dwell on the legal niceties of that, but the point needs consideration.

Standards are directly connected with liability and negligence in law. Have the views of insurance companies on these matters been ascertained? When standards are not complied with, and when liability, negligence or failure to perform a function in a reasonable way arises, the bottom line is that someone will have to foot the bill when things go wrong. In the case of Piper Alpha, a massive six-month legal case is already starting to investigate the very health and safety matters that might arise under a directive of this sort.

Have the added costs that might be incurred by small and medium-sized businesses been assessed, and what will the impact of all this be on insurance costs? Have the companies been contacted? Lloyd's and all our other great insurance companies will be directly affected by these proposals. Insurance companies provide a service for which people pay, but the real question is how these provisions will affect people. Where is the level playing field, as I asked in an earlier intervention? If there is no effective system of enforcement in other countries and they do not have to comply with these directives, there will be a strange inversion in the so-called harmonisation process. To be sure, the object of that process is to create a bigger market of 320 million people, all of whom will benefit from the advantages of mutual and free trade in one way or another. But reciprocity is tied up in all this, and if insurance, added costs and enforceability have not been considered sufficiently, I hope that the Minister will do so before the Council decision is adopted.

On item 20 of the explanatory memorandum, my hon. Friend the Under-Secretary of State said:

"The proposal raises no direct public expenditure implications for the Government. The financial effects for business are unclear at present as it is not known what attestation procedures will be required for each item of ppe"—

that is personal protective equipment. I have great respect for my hon. Friend and I am sure that he included that provision to put us on notice that the House should consider this important matter. If the attestation procedures—the standards procedures—have not been calculated, and the financial effects on business remain unclear, we shall have to get that right before the matter is decided in the Council of Ministers.

I would have wished to mention other matters, but time is short and other hon. Members wish to speak in subsequent debates. I shall write to my right hon. Friend setting out the remarks that have been made to me by the Engineering Employers Federation, which represents a huge number of employers and has considered the matter carefully. I hope that he will give those matters his careful attention and that answers to those questions will be reflected in the final decision of the Council of Ministers.

7.52 pm

Mr. Cope: This has been a useful debate, and I and my officials will reflect on what has been said. I reassure the House that my immediate response and reflections are not the end of the process. The points that have been made will influence the Government's stance in the continuing negotiations. I shall respond to as many of them as possible from the notes that I made during the debate.

I have not seen the document relating to 1992 which my hon. Friend the Member for Stafford (Mr. Cash) produced and on which the hon. Member for Antrim, North (Rev. Ian Paisley) commented, but I assure them that I shall study it carefully.

The hon. Member for Bradford, South (Mr. Cryer) asked about the COSHH regulations. They have been laid before the House and will come before us in the normal way. The proposed regulations apply to building sites, as do our present regulations.

Several hon. Members asked me whether other bodies have been consulted. The Health and Safety Commission, which is a tripartite body, has consulted widely. That has been confirmed by hon. Members—not least by my hon. Friend the Member for Stafford—who have quoted representations that were made to them.

Sometimes it is difficult to assess the cost-effectiveness of regulations simply because it is difficult, if not impossible, to assess the cost of accidents that have been avoided. If the adoption of a safety measure avoids an accident, one does not know whether the accident would have happened and it is difficult to assess the cost on that side of the equation. It is much easier to assess the cost to employers of putting regulations into effect, and nothing that I have said has belied the fact that cost assessments must be as good as we can make them.

The main point that has emerged today is hon. Members' anxiety that the regulations represent the equivalent of a major Bill or several Bills. Many of the directives are already covered by United Kingdom law, and in many cases our law goes further than the provisions in the directives. The minimum standards provided for in the directives are exceeded in many cases by British law, and there will be no need to legislate to bring the vast majority of the directives into British law; they already exist.

I reassure hon. Members that, if any of the directives give rise to proposed changes in United Kingdom law, that law will have to be changed in Parliament. Many of those changes will be made under section 1(2) of the Health and Safety at Work, etc. Act, which provides for improvements to be introduced by resolution.

Mr. Cash: If legislation is introduced into Parliament following the adoption of the decision, the fact that the decision has been taken, irrespective of whether it overlaps with United Kingdom legislation and the 1974 Act, is determinable by the European Court of Justice. Does my right hon. Friend agree that it does not matter, at any rate in theory, whether we pass subsequent legislation? If it were inconsistent with Community legislation, it would automatically be voidable by the Court of Justice. To that extent, what he said was true, but we must be sure that we get the legislation right as it goes through so that it suits the requirements of our electorate, rather than rely on the fact that it will be interpreted by the Court of Justice.

Mr. Cope: We must be careful to ensure that the legislation suits us. I hesitate to cross legal swords with my hon. Friend, but, as I understand it, the Court of Justice

would come into it only if someone believed that our law did not comply with the minimum standards laid down. We shall do our best to avoid that.

The hon. Member for Antrim, North mentioned unanimity. Article 100A provides for qualified majority voting on measures to establish the internal market. The rights and interests of workers are excluded from qualified majority voting

"save where otherwise provided in this Treaty."

Article 118A is one of those "otherwise" provisions as regards the health and safety of workers, and that is why it requires qualified majority voting. I assure my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) that the United Kingdom, the Italians and the Danes together form a blocking minority.

Interestingly, it appears from the debate that my hon. Friend the Member for Southend, East (Mr. Taylor) is keen on uniform standards throughout the Community. I share his desire. That is the purpose behind the regulations.

He seemed at one stage—I may have misunderstood him—to want more inspectors from the European Commission, but it is better for national inspectorates to enforce the regulations. Both we and the European Community need to do our best to ensure that national enforcement is sound throughout the Community.

Mr. Teddy Taylor: What on earth can my right hon. Friend do if the law is ignored in, say, Germany? Can he give us a straight example?

Mr. Cope: Yes. We can take that country to the European Court.

I realise that some of those who have spoken this afternoon, although by no means all, dislike the European Community, or at least British membership of it. As one of those who sometimes has to sit in the Council of Ministers for hours on end, with headphones on, I fleetingly share that sentiment as the hours go by and we discuss matters of this detail in our various languages. However, yesterday, standing by our village war memorial reinforced my belief that it is right for the European nations to work together not only from the economic point of view but from a much deeper point of view.

We have an interest, as many hon. Members have said, in fair competition and equality of health and safety standards throughout Europe, and we would have that interest whether we were in or out of the Community. I believe that these proposals will improve health and safety in Europe. There is much discussion still to go and the documents still need amending, and that is why I commend the motion to the House.

Question put and agreed to.

Resolved,

That this House takes note of European Community Documents Nos. 5211/88 on the safety and health of workers at the workplace and 5762/88 and the Supplementary Explanatory Memorandum submitted by the Department of Trade and Industry on 7th July 1988 on personal protective equipment; supports the proposals in principle as steps towards the establishment of comparable high standards of health and safety throughout the Community and the removal of technical barriers to trade; and endorses the Government's endeavours to secure modifications in negotiations.

Biotechnology

Madam Deputy Speaker (Miss Betty Boothroyd): Before we begin the debate on the next motion, on biotechnology, I point out that the Chair was particularly relaxed in allowing a very wide debate on the last motion. I am sure that hon. Members will not take advantage of that good will and will not repeat arguments that have already been made.

8.4 pm

The Minister of State, Department of Employment (Mr. John Cope): I beg to move,

That this House takes note of European Community Documents Nos. 5836/88 on exposure to biological agents at work, 6397/88 on control of genetically modified organisms and 10399/86 on regulation of biotechnology; supports the proposals in principle as steps towards harmonising safe working practices and improving environmental safety in the field of biotechnology; and endorses the Government's endeavours to secure modifications in negotiations.

I am very much a layman in this matter, and in case there may be others like me, I shall start by setting out in the simplest terms what we are talking about. Biotechnology is the relatively new term that is used for something with ancient origins—the deliberate use by man, for his own purposes, of biological systems and processes. For many centuries, man has used microbes to produce beer, wine, bread, cheese and many other products. We have, in one sense, manipulated genes—for example, in the selective breeding of farm animals, racehorses, or, for that matter, roses. We have, for two centuries, practised vaccination, which is the controlled use of disease-causing microbes to provide immunity against disease.

In the 20th century, the development of biotechnology has proceeded at an ever-increasing pace, to the great benefit of mankind. In medicine, penicillin and other antibiotics have become commonplace; insulin is now produced by genetic manipulation. Improved strains of crops, healthier animals, more effective washing powders, as well as better techniques for dealing with wastes, all owe their progress to biotechnology. There can be no doubt that biotechnology will continue to be responsible, on an ever-increasing scale, for major new advances, which will be the foundation of whole new industries. Many of the most important advances in biotechnology started here in Britain and we should be among the world's leading users industrially and commercially, and we are. However, to maintain this lead, we need, among other things, a sound safety regime, and that is what we have under the Health and Safety Commission and Executive.

Rev. Ian Paisley (Antrim, North): What does the

"control of genetically modified organisms"

mean to the layman?

Mr. Cope: I shall explain that in a moment.

We have much to gain from biotechnology, but we need to make sure that it proceeds safely. It has proved very safe so far, but explosive growth in the subject can be expected over the next few years and the safety regime must be robust enough to permit that without increasing the risks.

The safety regime must also be international. The OECD has been active in this sector, as has the European Community. We are today considering three documents from the Commission—10399/86, which is a "white paper" on a Community framework; 5836/88, which is a

[Mr. Cope]

directive on protection of workers in this sector; and 6397/88, which comprises two related directives on the contained use and the deliberate release of genetically modified micro-organisms. All these directives are now the subject of negotiation in Brussels. They have all been prepared with the help of groups of expert officials of member states over a period of 12 months or so, and in these discussions United Kingdom representatives have played their full part.

After the presentation of the directives to the Council of Ministers this summer, the explanatory memoranda were submitted to Parliament—those listed in the motion—and the Health and Safety Executive followed these up by an invitation to the public to comment on any aspect of the proposals. Many have taken advantage of that invitation.

Mr. William Cash (Stafford): As my right hon. Friend may be aware, I am a member of the Select Committee on European Legislation, and this directive has cropped up on a number of occasions. One of the factors that prompted me to press hard for this matter to be referred to debate I shall explain later, but I have a specific question about the committee of experts to which my right hon. Friend has referred. Could he give us—if not now, later—some idea of the membership of that committee and the extent to which it is left to the self-regulatory mechanism, which ensures that, effectively, the only people who are in a position to comment on the efficacy of these important matters are directly involved by virtue of their professional experience?

Mr. Cope: These are extremely complex matters, and those people who are expert in such matters tend, therefore, to have studied the subject carefully for many years and are working in the area. Laymen, whether politicians or officials, must rely to a considerable extent on those experts. In that sense, it is no different from the law. Those of us who are not lawyers occasionally have to seek guidance from lawyers about the law.

I wish to say a little about each of the proposed directives, although there are close links between them. The main purpose of the directives is to control the use of micro-organisms. The directive covered by explanatory memorandum 5836, on the protection of workers from risks related to exposure to biological agents at work, is general in character and introduces for the first time specific provisions designed to lead to the adoption of minimum requirements for the health and safety of workers concerned.

I want to stress the wide scope of the proposals. They seek to cover research and diagnostic laboratories and other places where there is a deliberate intention to work with micro-organisms. They also include, although admittedly in less depth, places where contact with micro-organisms might be incidental to other work—for example, in the health services, or, perhaps less obviously, in agriculture.

All that mirrors two strands of thought that are generally accepted in this country. We believe that the general principles of occupational hygiene, which apply, for example, to work with chemicals, should also apply to work with micro-organisms. That disposes us to accept the articles dealing with incidental exposure. We have also developed a system of close inspection and control of the areas of specific work with micro-organisms. The Health and Safety Commission and the Department of Health have developed that system of guidance and inspection within a framework provided by the Health and Safety at Work etc. Act 1974 and other relevant legislation.

I can assure the House that that general acceptance of the proposals does not mean that we are willing to accept every word of the document without negotiation. Some of the proposals are not particularly clear and others seen to be overdetailed, but, as ever, we are concerned that they should be cost-effective. As negotiations proceed in Brussels, we shall seek improvements. The discussions on this document are still at an early stage.

The two other sets of proposals are comprised in one Council document relating to genetically modified organisms. They are both covered by Council document 6397 and, as they are both closely linked, they are being negotiated in the environment working group, but the areas covered by the two directives are distinct. The first part of the document deals with the contained use of genetically modified organisms. In answer to the question by the hon. Member for Antrim, North (Rev. Ian Paisley), genetic engineering or manipulation—they appear to mean the same thing so far as I can see—means the manipulation of the hereditary molecule of cells, usually by adding extra DNA, the chemical involved, to give the cell special properties. It therefore means modifying the genes of an organism.

Sir Hal Miller (Bromsgrove): Although this matter comes under the guise of health and safety at work, will my right hon. Friend assure us that the organisms to which he refers as being genetically modified are not human organisms and that as a result of the regulations we shall not legally countenance such modification of human organisms?

Mr. Cope: I can assure my hon. Friend that nothing in the document does anything of the sort.

Mr. Allan Roberts (Bootle): I do not think that that is an accurate answer. There might not be anything in the document to that effect, but genetically engineered micro-organisms can be used to cure animal diseases, plant diseases, blight and human diseases. They are now used in vaccinations. DNA from human beings is used. That is the present legal position. There is nothing frightening about it. It is not a case of experimenting with embryos.

Mr. Cope: I think that my hon. Friend the Member for Stafford (Mr. Cash) was concerned about experiments with human embryos, but the hon. Member for Bootle (Mr. Roberts) is right when he says that many of the applications of genetically manipulated or engineered molecules are for pharmaceutical purposes.

The purpose of the first part of this document is to build on the Community's recommendations, relating to registration of such work, which were made in 1982. Laboratory work with genetically modified or manipulated organisms has become well established in this country and elsewhere. I can assure hon. Members that this experimental work is subject to notification to the Health and Safety Commission under the Health and Safety (Genetic Manipulation) Regulations 1978, which comply with the later recommendations of 1982.

The ultimate reason for all this work is to produce something useful to mankind, hence the use of

genetically-manipulated organisms on a larger scale in industry. That large-scale work may encompass the use of genetically-manipulated organisms or other processes outside the definitions that we have used. So far, they have been used chiefly in the production of pharmaceuticals. The main requirements which would be imposed by the contained use proposal are broadly in line with the thinking of the Health and Safety Commission. It has already consulted publicly on its intention to revise the 1978 regulations involving compulsory notification of the use of genetically-manipulated organisms.

Mr. Teddy Taylor (Southend, East): My right hon. Friend has been most helpful. Does he agree that document 865/73 covers human growth hormones which can be used in the pharmaceutical industry to promote human growth as well as plant growth?

Mr. Cope: Certainly, those hormones can be used. One of the conditions treated by products created in that way is dwarfism. Such products are used in the pharmaceutical industry for treating many conditions.

Contained work in this country has always been subject to close control and we do not believe that we have any difficulty in accepting the basic principles in this Community document. The most important principles are safe operation, prior safety assessment and notification of work to national competent authorities which will be responsible for control measures. The directive relating to contained use has made by far the quickest progress so far in negotiations. The explanatory memorandum, which went to the Select Committee in June, explained that to some extent.

Present negotiating concerns centre mainly on definitions of the activities to be covered, distinctions between large and small-scale work, the period of advance notification, commercial confidentiality and some still unresolved points of detail.

The second part of the document is concerned with an even newer activity—releasing genetically modified organisms into the general environment. Experience here is so far limited, but there are many exciting technical possibilities, notably improvements in crop characteristics including disease and pest resistance, extended growing seasons and improved bacteria to control pollution. The document relates to deliberate or planned release. Releases have environmental implications, as well as implications for human health and safety, and the Department of the Environment has a stake in the outcome, as has my Department.

The level of reassurance on safety that the public needs before the release of novel organisms into the environment is obviously greater than that required for securely contained applications. There is, therefore, a system of notification in this country which is based on the Health and Safety Commission's advisory committee on genetic manipulation. My right hon. Friend the Secretary of State for the Environment has recently established the interim advisory committee on introduction, which is an independent scientific committee, to provide additional advice on the ecological aspects of such proposals. Overall, the Government welcome the intention to establish a Community-wide control regime for these matters.

However, the proposals raised some points of doubt and difficulty. For pre-commercial releases for the purpose of research and development, the notification would be to national authorities. That is in line with the Health and Safety Commission's regulatory proposals, to which I have already referred. For releases of commercial products, national notifications would be circulated to other member states, and the Commission would have the ultimate responsibility for resolving objections. The proposed procedures are rather cumbersome and we need to be convinced that member states are not the best judges of the effects of releases in their own countries.

In recommending the motion to the House, I hope that I have made it clear that we believe that in principle it is right that the same high standards should be attained and maintained throughout the Community. On the other hand, it is necessary to ensure that the directives are justified on scientific, technical and medical grounds. It is also necessary to ensure adequate protection in the most cost-effective and least bureaucratic way, if it is to achieve its purpose in the real world. I invite the House to comment on the proposals. I shall do my best to respond to any points raised either later in the debate or afterwards, if that is more appropriate.

8.23 pm

Mr. Gavin Strang (Edinburgh, East): The Opposition broadly support the proposals. The Minister has rightly reminded us of the strength of the British biotechnology industry. He was right to do so, because genetic manipulation has come from work that was done in the 1950s by Dr. James Watson and Francis Crick, who discovered the structure of deoxyribonucleic acid—DNA. Throughout the 1960s, a great deal of work was done in Britain and elsewhere which showed that DNA is the basic genetic material of organisms and that the code that determines how animals, including ourselves, develop is contained in DNA, which is transmitted from parents to offspring.

The Minister said that scientists have been genetically manipulating organisms for a long time. I was surprised that the Minister seemed to classify ordinary breeding as genetic manipulation. I have never heard that interpretation before. There is a quantum leap from selective breeding to improve the strain which has been carried out for centuries to improve crops and livestock, and from the active breeding of micro-organisms, such as bacteria, to the ability artificially to insert additional genetic material to alter the genetic complement of organisms so that they will develop differently.

There is confusion about the position with regard to humans. To my knowledge, there is no recorded instance of the genetic manipulation of human DNA. Of course, use has been made of bacteria that have been genetically manipulated for human purposes, but enormous ethical issues would be raised if there were to be genetic manipulation of human beings—although some genetic diseases could be corrected in that way.

Mr. Cash: The hon. Member for Edinburgh, East (Mr. Strang), who is well informed on these matters, has no doubt read the book written by a Fellow of New college, Oxford entitled "What sort of people should there be?" It is by no means science fiction and it is generally conceded to be true by those in Edinburgh, not far from the hon. Gentleman's constituency, who are engaged in serious research along those lines. The notion that he has given that the modification of human genetic characteristics is not on the immediate horizon is wide of the mark.

Mr. Strang: I shall qualify what I said. Enormous ethical considerations would be raised by genetic manipulation of human material that aimed to create desirable characteristics in humans as a means of selective breeding. That is different from using genetic manipulation to prevent certain genetically transmitted diseases from developing in human beings.

Mr. Cash: The hon. Gentleman cannot draw a distinction merely on the basis of considering something to be beneficial which is regarded as potentially dangerous by experts, including those who advise the Minister. The principle is whether the modification of genetic characteristics is capable of being brought into effect now or in the immediate future. The answer is yes, as the hon. Gentleman knows.

Mr. Strang: I have not said anything to contradict that.

The point that I tried to make was that the role of genetic manipulation that we are discussing tonight relates to its use in biotechnology and industry. Perhaps there is a role for genetic manipulation in the future in the prevention of certain diseases that are genetically transmitted in human beings and that will involve the manipulation of human genetic material. However, I was referring to a development beyond that, which we should think of as science fiction, which is using genetic manipulation to carry out selective breeding as Hitler and the Third Reich thought of it—the selective breeding of humans to develop a super race. No one has suggested seriously that we would apply genetic manipulation to human beings with that objective, as we do in relation to micro-organisms and to improve livestock.

Mr. Cope: I have agreed with much of what the hon. Gentleman has said. However, I must make it clear that the parts of the directives that deal with laboratories cover work with micro-organisms only and not work with human embryos. That work is not covered by the directives.

Mr. Strang: I take the Minister's point. I am sure that we agree that we are not suggesting that it is ethical or proper to use genetic manipulation to breed super humans.

Some hon. Members may recall that, about a year ago, a front page story in one of the popular Sunday newspapers claimed that human immune deficiency virus had its origin in genetic manipulation. I do not believe that that is true, but it could have been true. That is an extreme and alarming example of what could happen. When one genetically manipulates bacteria and viruses, one cannot be certain what one will produce. That is why it is vital that we should have safeguards, and seek to apply the highest safety standards, particularly in laboratories where people work with genetically manipulated organisms.

It goes without saying that by and large we support the work. Thousands of millions of pounds have been invested in biotechnology industries and only recently have the benefits of that investment come on stream. As the Minister said, biotechnology can lead to the development of new and better drugs. In a whole range of industries micro-organisms rather than chemical processes are used and the application in agriculture is also substantial and widespread. Clearly, we can derive enormous benefits from the genetic manipulation of micro-organisms.

Equally, it is crucial that we should recognise the risks involved and implement the highest safety standards. We should take all the precautions needed to protect not only the workers directly involved, but the wider community from the potential escape of a dangerous organism.

The "policy implications" paragraph of the explanatory memorandum, which deals with the directive on the contained use of genetically modified organisms, says:

"the UK will be seeking some important modifications in the detail of the containment and risk assessment requirements which, as they stand, cannot easily be applied to all contained applications".

The Minister touched on that, but it would help if he could explain the sentence at greater length.

The other directive deals with the release of genetically manipulated organisms into the environment. The application to certain crops immediately comes to mind, but there could also be a role for the process in, for example, the control of pollution. It may be possible genetically to manipulate organisms to make them more effective at carrying out certain functions that are to the benefit of mankind.

We would all agree that it is a major step to release genetically manipulated organisms into the environment. In the overwhelming majority of cases, the organisms will not be substantially different from their natural counterparts. We have to allow for the fact that there are exceptions and we have to guard against the possibility that the properties of a genetically manipulated organism may prove more radically different than was originally envisaged, and may have a deleterious effect. There are ways of seeking to get round that. For example, we could require that any organisms released into the environment must be such that they could not survive in a different habitat. If an organism was to be released into a particular crop, for example, we could ensure that its specifics were such that it could not survive in another.

Dame Elaine Kellett-Bowman (Lancaster): How would we know that?

Mr. Strang: One can breed organisms to ensure that they have certain qualities before one releases them. The hon. Lady underlines the important factor, on which we all agree, which is that we must be very careful. The process must be strictly controlled.

Rev. Ian Paisley: Following from the hon. Gentleman's argument, does he agree that the notification should be to the national Government rather than outside their territory?

Mr. Strang: I think that there is a case for both. Clearly we want a national authority to authorise such activities. However, the Minister seemed to have no sympathy with the view that the Commission should have some right of approval in relation to the release of organisms. It is perhaps easier for us, in the British Isles, to argue that than it would be for those in some other countries. Suppose that we are talking about the release of an organism in close proximity to the boundaries of two EEC member states. Either the member states which border the country should have a say in the matter or the European Commission at least should have some say. If genetically manipulated micro-organisms were to be released in West Germany for some agricultural purpose it would be perfectly reasonable to require that the authorisation of that release on a commercial scale should not be the prerogative of the national Government alone because the implications could go wider than West Germany. I recognise that in the

first instance and in relation to pre-commercial and post-commercial use the authority should be a national Government.

This is an ongoing process. It is not as though regulations are being introduced for the first time. We have had regulations in place in Britain for a considerable time. The dialogue with the scientists will continue. There is no dispute between the Opposition and the Government about the benefits that can accrue from biotechnology and there should be no dispute about the need in principle for the highest safeguards.

We should welcome the fact that such matters are being discussed in the European Community because it is in our interests. We are concerned about the health and safety of our population, and in some instances developments in other countries—for example, in nuclear power—can affect the health of our population. Surely we are also concerned to improve the health and safety of workers in other countries. If we can contribute to a reduction in accidents in Spain and Italy, we should seek to do so. We do not need to adopt an entirely parochial view of health and safety. The important thing is that we have responsibility for our regulations. We should in no way be prepared to reduce our standards in deference to developments in the EC. However, we should contribute to improving health and safety in the Community and ensure that this is not just a national effort but an attempt to improve standards throughout Europe.

8.40 pm

Mr. William Cash (Stafford): Some months ago I was in the United States, where I had the opportunity to speak to a scientist who represented 6,000 other scientists who, in one way or another, were under his surveillance, monitoring and control. He told me that genetic engineering was worrying him more than anything else, with all the responsibilities that he had. The dangers that are set out in the explanatory memorandum and in other papers were of concern to him. I have in mind wheat strain and other matters. We are aware of the great dangers of the release of micro-organisms. A recent incident in Argentina gave rise to the severe danger of the obliteration of sectors of crops.

The scientist whom I met in the United States was concerned also about the defence implications of biotechnology. He explained that the scientific development of genetic engineering was so sophisticated, difficult and dangerous that he felt that it should be subject to the most rigorous conditions and control. I am no expert, but I am told that it is possible to have a genetically engineered organism that is as yet untriggered. That is what I have been told by someone who is pre-eminent in this discipline. The trigger, rather like a time bomb, is released into the atmosphere, and no one would know that that had happened unless and until the complementary mechanism was attached to it. Apparently the defence implications are extremely serious.

I do not know whether the directive provides the opportunity for the sort of genetic engineering that I have described. I do know, however, that the book "What sort of people should there be?", written by a fellow at New college, Oxford, was abundantly clear on the dangers of genetic engineering in the human context. About two years ago I tabled an early-day motion on the issue. I should make it clear that I have no preconceived view and that I believe that there could be some advantages to be gained from some of the experiments. I tabled the motion because I wanted a Select Committee to examine the efficacy of the experimentation. Over 150 Members from all parties signed the motion because they, too, wanted the issue to be examined. But such was not to be the case. I understand that the then Opposition spokesman on these matters was not disposed to co-operate with the setting up of such a Select Committee. As a result, we were not able to examine the facts that underlie a vital issue.

Mr. Cope: I assure my hon. Friend that the directive does not give permission for any work of any sort to be carried out in Britain that is not covered by existing legislation. The directive can have the effect only of increasing our controls of this sort of work. Whatever my hon. Friend's concerns may be, they do not arise from the directive.

Mr. Cash: I am grateful to my right hon. Friend for that intervention. I have read the definitions in the Genetic Manipulation Regulations 1978, in respect of which the Health and Safety Executive contacted me about a year ago. I had extensive discussions and correspondence with the executive. As one who has great respect for my right hon. Friend, I must say to him that, although I accept what he said and appreciate that he is passing on information that he has received, this is not a matter that can be left to a short debate of this sort. I hope that the issues that I have raised can be properly examined at greater leisure.

Documents that can be obtained in the Vote Office explain in great depth the ramifications of biotechnology. There is potential for the dangers that I have described to arise. Further, we are in a multi-billion dollar business. Already genetic engineering has been patented. Animal patents have been taken out, but only after the United States Congress, after intensive discussions, thought that it was right to do so. There are many who still think that it was not right to take that course. The same issues arise with the human application of genetic engineering, which I understand has received a degree of authorisation in the United States. It is subject to patent laws. Conferred upon those who are licensed to conduct the research, therefore, is a huge volume of research activity with the potential for the making of multi-billion dollar profits.

It would be right for us to retain as much control as we could. We have a direct Chernobyl-type interest in the deliberate release of organisms—such a release could take place abroad—that could have a direct impact upon the United Kingdom. I do not fear what might come from abroad, but it would be prudent to have the dangers in mind. I see the need for a degree of integrated and co-ordinated activity. I am concerned that self-regulation should not be left to the experts. It is vital that national Parliaments, in the form of the Select Committee to which I have referred, should be able to ask the relevant questions before it is too late. There is a need for continuing national control, and I am deeply concerned about the treaty base that is under consideration. I understand that it is thought that the procedure could come under article 100A, which invokes majority voting.

If we are conceding the need to work the matter through on a mutual and reciprocal basis, but not accepting that it is vital that we retain a degree of control nationally, what is the point of allowing the issue to be decided by majority voting without a full and extensive

[Mr. Cash]

inquiry into the treaty base? There are serious doubts, and this is a vital matter. The Select Committee on European Legislation, of which I am a member, has recently taken evidence from the Treasury Solicitor on the scope and use of article 100A. There are important matters about which we must be careful. If the treaty base is misused, we shall find that biotechnological questions can be decided on a majority vote.

As is shown by the useful documents that have been presented to us, there are already several member states which do not have any regulations to deal with these matters. There are no specific regulations in Greece, Spain or Portugal. Yet those member states—and perhaps others for all I know—will vote in respect of article 100A if that is the adopted treaty base. What on earth would we be doing if we allowed a matter of this kind to be passed if the blocking minority acted against us while we were trying to make sense of the regulations? In some respects we would be in the hands of other member states which not only may not want regulations, but apparently do not have enough information to form judgments about the matter.

My right hon. Friend must take note of the fact that the Select Committee on European Legislation insisted that there should be a debate on this matter before adoption because the issue is extremely important for the future of this country. Therefore, we should ensure that the matter does not go through without very serious and careful consideration.

8.50 pm

Mr. Allan Roberts (Bootle): This is a very important debate. I do not want to delay the House for long, especially as I shall deal with the next debate as the Opposition Front-Bench spokesman.

I am pleased to follow the hon. Member for Stafford (Mr. Cash), because I agreed with 99·9 per cent. of his comments. I hope that the media and others will wake up soon to the significance of the debate taking place generally throughout Europe and elsewhere on genetically engineered micro-organisms. If this debate was about nuclear power, the Press Gallery—to which we cannot refer—would be full. However, biotechnology has the same significance as nuclear power, and in many ways will have the same public perception, debate and argument.

We must consider urgently the release of genetically engineered micro-organisms into the environment. My advice on the psychological perception of environmental risks in this country continues to be that ordinary people are becoming overloaded with the pace of technological change, and opposition to nuclear power has been associated with that. That pace of change leads to genuine concern among the public and a desire for public regulation and democratic accountability of such things as genetically engineered micro-organisms.

There are many exciting opportunities for improved protection of human health from the process of engineering micro-organisms. For example, I would support strongly the replacement of chemical pesticides by target-specific biological agents which do not harm innocuous life forms. That is a much more acceptable environmental alternative than the blanket use of pesticides, which are doing so much harm to our environment. We should also favour the cautious development of live vaccines for cholera and dysentery which cause so many infant deaths each year in developing countries.

However, we should also be concerned to ensure that commercial pressures and the absence of international regulation do not conspire to eliminate public accountability over new technologies such as genetic engineering. The public have an absolute and fundamental right to understand and participate in decisions that affect their environment. We must try to explain the benefits and risks of the release of genetically engineered micro-organisms into the environment. By stimulating rational public discussion and promising adequate regulatory machinery to control the technology, we will demonstrate that we are responsible and concerned as a Parliament, but not anti-science. The motions go a little way towards assisting that.

It appears that in conferences in the past—a conference was held six or seven months ago on this subject in Cardiff—a number of the ethical issues were completely avoided. It seems that it is easier to discuss the scientific implications than the ethical implications of these engineered micro-organisms.

As the hon. Member for Stafford said, the potential for military or mischievous use of the technology must be considered. For that reason, I propose that we consider the following suggestions. We must call on the Organisation for Economic Co-operation and Development to agree strict international guidelines for the development and release of genetically engineered micro-organisms into the environment. The British Government must take steps to ensure that new techniques of genetic manipulation are not used for military or mischievous purposes.

We need a specific international convention to outlaw military applications of the new technology. It would be easy for an enemy country to release genetically engineered micro-organisms into another country to destroy crops, because organisms designed to kill the pest that kills the crop can be released very effectively among crops. That is very useful. However, it is also possible to release a genetically engineered micro-organism to kill the pest's natural enemy. That would allow crops to be devastated. The Americans could choose to do that in Nicaragua, although I am not suggesting for one minute that they might. Similarly, if the Russians chose to do it in Pakistan, they might, although I am not suggesting that either. We should have an international agreement on that great danger, in the same way as we have an agreement on germ warfare.

There should be a case-by-case assessment of all proposals to release genetically engineered micro-organisms into the environment, with release at the present time being restricted to products with clear benefits to health or the environment. Genetically engineered micro-organisms should be released into the environment only if they are genetically marked with a stable factor other than antibiotic resistance, and if sensitive methods exist for their detection in soil and water.

The other danger is that genetically engineered micro-organisms may be released into the environment, but people may not be aware of them unless they are marked. They cannot be detected in the environment and people do not know what is happening. There must be markers, but not the antibiotic resistance markers, which could cause difficulty.

A regulatory framework must be developed which commands public confidence and which can insist on prior notification, public hearings, independent scientific review and final consent by national regulatory bodies. In this country that should be Parliament.

New products should not subvert the "polluter pays" principle. The fact that some pollutants may in future —and I welcome this—be broken down more efficiently in the environment by genetically engineered micro-organisms being released to attack them should not be used as an excuse for avoiding the treatment of pollutants at source.

There should be an international regulatory agency and convention, with powers to prohibit military applications of the technology and to prevent the release of genetically engineered micro-organisms without the knowledge and acceptance of international and national authorities.

8.57 pm

Mr. Teddy Taylor (Southend, East): I am most concerned at the prospect that new techniques concerning genetic manipulation will be controlled no longer by the British Government but under laws determined by the Council of Ministers and passed by majority. My right hon. Friend the Minister of State says that we do not have a great deal to worry about, but I hope that he will answer one or two specific questions.

First, my right hon. Friend commented that this measure contains nothing relating to human factors such as human bodies or foetuses that could be of concern on moral grounds. Does he accept that, even on the basis of the Commission's views and one paper prepared by the Government, it is clear that many micro-organisms are being used as a substitute for specific human items? For example, human growth hormones that were previously obtained from human tissue by means of complicated chemical processes can now be produced by micro-organisms. That is clearly and precisely stated. Does my right hon. Friend accept that, in agriculture, the technique goes a great deal further?

Secondly, I cannot understand my right hon. Friend's comment that these proposals will impart no new powers. One of the directives makes mention of

"the deliberate release to the environment of genetically modified organisms."

My understanding is that such a power is not currently available in the United Kingdom or under EC legislation. I also understand from one of the documents that that is considered so controversial in the United States that it has delayed any development in that direction for three years.

The Minister may say that, although there is a directive dealing with the deliberate release into the environment of genetically modified organisms, it does not mean that such will happen. Someone will have to decide, and it may be the Common Market. Perhaps the United Kingdom Government will have some small part to play in such a decision. Nevertheless, to suggest that this is a small matter and one perhaps not best left to the United Kingdom may give the House the wrong impression.

Thirdly, I welcome my right hon. Friend's advice on the explanatory memorandum by the former Minister for Information Technology, who also issued a paper on the subject. He comments that the proposals' main benefit is improved crop yields. If there is one thing that the Common Market does not need as a matter of urgency it is improved crop yields adding considerably to its output of agricultural produce. Considering the extent of world poverty, it is frightening that, because the Common Market is producing too much, it spends £220 million per week on dumping or destroying food. It seems ridiculous to introduce proposals designed to increase the size, scope and quality of fruit when so much money is being spent destroying more than 1 million tonnes of fruit annually.

We appreciate that this matter is not one on which the views of the House of Commons may count for anything, because it can make no decision. Nor is it a matter on which the European Parliament can decide. All we can do is to express a view to the Government, but even they cannot take a decision because of the majority vote. What is decided about this rather frightful measure will be the responsibility not of the Government but of a majority of member states voting in the Council of Ministers. We can at least say to the Government, "For goodness sake, if we are doing something rather significant, and which some of us may regard as somewhat terrifying, let us begin by telling people exactly what is happening."

This development appears to me, as a layman, to be very significant. It is an area of dramatic technical advance, whereby micro-organisms are being produced to serve as a substitute for human features. They will also be used to change the physical characteristics of human beings. Dwarfism is one example I have mentioned. We also face the fantastic and rather worrying second phase, when we shall permit the release of genetically manipulated organisms into the environment. The Minister cannot say that that does not matter or that it is not controversial.

Mr. Cope: I never said anything of the sort. This is an important matter and I emphasised that in my comments. I never said that it was a small matter. On the contrary, I regard it as extremely important. My hon. Friend is right to stress its importance, but he must not accuse me of saying that it is unimportant.

Mr. Taylor: I am sure that all right hon. and hon. Members present in the Chamber heard the Minister say that there is nothing in the proposals that will allow anyone to do anything they did not previously have the power to do.

We are here dealing with a dramatic new proposal to expand existing powers. Once that happens, those powers will not be under the authority of the House of Commons but under the rules of the European Community, although at least four countries do not have any rules at all. We are considering a directive that the Government's own paper clearly states relates to

"the deliberate release to the environment of genetically modified organisms".

My understanding is that no such British power exists.

Mr. Cope: The purpose of the regulations is to extend the strict control that we now have to other countries. My hon. Friend complains that there is no control in other countries, and that is what the directive is all about.

Mr. Taylor: If my right hon. Friend were to say that the deliberate release into the environment of genetically modified organisms is permitted in Britain, that would be a big surprise. It would compare with a paper produced by the former Minister for Information Technology, explanatory memorandum 9501 on document 10399/86 on the Commission's work into biotechnology. The Minister

[Mr. Taylor]

talked about the second phase as something in the future and something that had been blocked in the United States on safety and environmental grounds.

I do not pretend to be an expert, but the brief exchange that we have had with the Minister has shown that we are dealing with something that is fundamental and something that could affect the environment of every person in the United Kingdom. It is a big decision to pass over to the European Community responsibility for making laws and imposing controls. That worries me, and I am worried even more because, when we eventually get the new laws and new controls, which may not be on these grounds, Britain will have just one voice in the Council. We should all be worried about this matter.

I hope that my right hon. Friend the Minister will say a little more on the three specific issues which I have raised.

9.5 pm

Rev. Ian Paisley (Antrim, North): Just how far-reaching are the regulations that come from Europe has been vividly illustrated. Perhaps not many hon. Members realise how far-reaching this motion is. I speak as a layman. I do not adequately understand what is going on, but the suggestions which have been made worry me, just as they would the people whom we all represent.

This is a matter of great importance. We in Northern Ireland have suffered by having to pass legislation such as this in an hour and a half. If the debate on health and safety had continued until 10 o'clock, this debate could have continued for only an hour and a half. It would be deplorable if we could not alter the legislation or adequately debate the issues in such an important matter.

I have every respect for the Minister—not that that might bring any happiness to him—but he is in deep water because of his statements. He realises that this is a big issue. The hon. Member for Edinburgh, East (Mr. Strang) said that this was a road that he would not have gone down. The implications are so far-reaching that they are terrifying. Ordinary individuals need to know what is happening. I would not like such a matter to be outside the sovereignty of the House. I should like it decided in the House so that the representatives of the people who have sent us here have a say.

Mr. Nigel Spearing (Newham, South): The hon. Gentleman may be under a misapprehension. Is he aware that the powers to decide on this matter are not in the House or in the Government? If they were, the motion would not contain the phrase

"endorses the Government's endeavours to secure modifications in negotiations."

Does the hon. Gentleman agree that if hon. Members who voted two years ago for the amendments to the treaty of Rome, called the Single European Act, had known that the House was giving away its powers to determine these matters within the United Kingdom, they might have thought otherwise?

Rev. Ian Paisley: If the hon. Member for Newham, South (Mr. Spearing) had been in the House when I made my first speech today, he would know that I had underscored that point. The hon. Gentleman is absolutely right. Our powers have been abolished. That is why it is so serious a matter. That is why we need to reflect carefully on the effects of its implementation. The point that needs to be highlighted is that the House will have no authority. We need to know what is to happen so that we can alert our constituents.

We have heard tonight about the real implications of EEC membership. A large degree of the sovereignty of this House has already vanished. The president of the Commission said that 80 per cent. of all laws will be made in Europe, not in the Parliaments of the member states. I think that he was right. That is not acceptable to many people, but it is the truth.

9.10 pm

Sir Bernard Braine (Castle Point): I do not doubt for a moment that my right hon. Friend the Minister attaches the highest importance to the proposals to control this new and frightening technology more effectively than it is controlled now, but I do not believe that 99·9 per cent. of my constituents or of hon. Members understand what is involved.

I remind my right hon. Friend that long ago one of the greatest Prime Ministers of this country—and a Conservative one at that—Benjamin Disraeli, said that the first duty of any Government is the health of the people—health in the broadest, protective sense. I do not go all the way with my hon. Friend and dear neighbour the Member for Southend, East (Mr. Taylor) in his attitude to the European Community, but I am tempted to draw the line in this case, and in others, too.

We are told that the proposal deliberately to release genetically modified organisms will be useful and constructive, that it will enhance the quality of life and that it will lead to more efficient agriculture. However, that leads to one conclusion: that when a product has been endorsed under the directive, no member state may impede its marketing throughout the Community unless there is evidence that its use may be subject to further conditions. I do not intend to go into the details. I am not qualified to do so. If, however, something goes wrong, I want to know whether there are any safeguards that will allow us to draw back. Where is the line to be drawn? So far as I can see, no line has been drawn. To borrow the language of another great British Prime Minister "up with that I will not put".

9.14 pm

Mr. Cope: I would like to try to reassure some of those hon. Members who have spoken, but perhaps I should first respond to the detailed matters that have been raised.

My hon. Friend the Member for Stafford (Mr. Cash) was worried that we seem to be leaving the matter entirely to experts. As I said in an intervetion, when I drew an analogy with lawyers, we need to have these things explained to us by experts. The people involved in discussions on this matter include the Health and Safety Commission's advisory committee on genetic manipulation and the advisory committee on dangerous pathogens. Included are representatives of the Nature Conservancy Council, local authorities, the Trades Union Congress and the Confederation of British Industry, plus the expert scientists who help to guide them. Many people contribute.

The hon. Member for Bootle (Mr. Roberts) was worried about defence implications. I assure him that the United Kingdom abides by international conventions on chemical and biological warfare.

My hon. Friend the Member for Stafford, like others, was worried about the treaty base. He drew our attention to paragraph 4 of my memorandum 6397 of 24 June. We are interested in what the proper treaty base is. Until we have the final form of the directive, there will be some doubt, but our considerations are to be found in my memorandum.

Several hon. Members wondered whether we are giving greater permission for things to happen in Britain or whether we are handing control over what happens here to the European Commission or the Council of Ministers. We are not passing control over what happens here to other countries. We are trying to extend to other countries in the Community the controls that we have in Britain. This is another directive which lays down minimum standards. It does not prevent our developing or improving standards.

Mr. Spearing: I am grateful to the Minister for giving way, especially as I was not here for his opening speech. Surely what he has said is not entirely the truth. It is true that these documents, if passed in their present form, may, under EEC law, extend the regulations which are to be found in our domestic law to other countries, but any subsequent instruments about control, which will apply universally, will be within the control of the Council, not of the House. Surely to that extent we are passing over powers.

Mr. Cope: We are not passing over powers in the motion before us. If some future proposed legislation does something else, we can consider it, but that is not what is before us.

Mr. Spearing: Precisely.

Mr. Cope: My right hon. Friend the Member for Castle Point (Sir B. Braine), the Father of the House, spoke of new technology being involved. It is very new and to some people it is frightening. He also spoke about the health of the people. As I said at the beginning, I am a layman in these matters—I suspect that we all are—but my view is that the health of the people has a great deal to gain, and has already gained a great deal, as a result of biotechnology. I have been given many examples of the benefits. I have no doubt that there will be more. Many of the applications of biotechnology and of genetic manipulation have been in pharmaceuticals. I believe that we have already gained a great deal.

There have been references to human growth hormones, which were not invented by genetic manipulation. They predate that. They could be used before, but now they can be produced better and more cleanly by means of genetic manipulation. That is one advance. In my opening remarks I referred to insulin, and the same applies to that.

Mr. Teddy Taylor: I am sorry to interrupt my right hon. Friend. I hope that he does not think that I am being difficult, but does he accept that the former Minister for Industry and Information Technology wrote in his note to the Committee about human growth hormones that

"could only previously be obtained by low yield traditional chemical means or by tissue extraction."?

He was saying that nothing like that could be done before, but it can be done now. It is there in black and white. However, the Minister appeared to be saying that we have been able to do it for a long time but chose not to do so. They cannot both be right.

Mr. Cope: I meant not that we could carry out genetic manipulation but that we could produce those particular hormones. The same is true of insulin for treating diabetes. Insulin was available before from cows, but now we can produce insulin better by means of genetic manipulation. That seems to me to be an example of a new technique being used to produce something that already exists. I did not mean that genetic manipulation is an old technique. It is not. It is a new technique which is being developed all the time. Important advances can be made from it, but those advances should not blind us in any way to the problems, the dangers and the very strict requirements for health and safety and control, particularly of releases, which have been covered in the directive. They should make us more determined to get them right. In Britain we have gone to a lot of trouble to get them right. We are trying to improve our own regulations. The directives try to extend the same principles to other countries in the European Community.

There are wider thoughts. The OECD has already been mentioned. More is happening elsewhere in the wider world, not only in the European Community. However, that is not relevant to our debate today.

We are right to try to improve the directives and to get them adopted by the European Community so that we can enjoy the benefits of biotechnology while at the same time preserving the health and safety of the workers involved in it and that of the public generally. Therefore, I commend the motion to the House.

Question put and agreed to.

Resolved.

That this House takes note of European Community Documents Nos. 5836/88 on exposure to biological agents at work, 6397/88 on control of genetically modified organisms and 10399/86 on regulation of biotechnology; supports the proposals in principle as steps towards harmonising safe working practices and improving environmental safety in the field of biotechnology; and endorses the Government's endeavours to secure modifications in negotiations.

Tobacco Products

9.22 pm

The Parliamentary Under-Secretary of State for Health (Mrs. Edwina Currie): I beg to move,

That this House takes note of European Community Documents Nos. 4192/88 on the labelling of tobacco products and the Supplementary Explanatory Memorandum submitted by the Department of Health on 7th November 1988 and 4193/88 on tar yields of cigarettes; welcomes continued progress towards removing the remaining barriers to trade between Member States; and, in the interests of public health, endorses the aims of reducing the tar yield of cigarettes and of ensuring that Community consumers are adequately warned of the dangers of smoking.

Mr. Deputy Speaker (Mr. Harold Walker): Mr. Speaker has selected the amendment in the names of the hon. Member for Thanet, South (Mr. Aitken) and his hon. Friends.

Mrs. Currie: The proposals concern the harmonisation of national provisions governing maximum tar yields of cigarettes and the labelling of tobacco products. The European Commission states that the proposals form part of the changes needed to eliminate most of the remaining trade barriers in the European Community by the end of 1992 at the latest.

The proposed directives are linked to the European Community Commission's "Europe Against Cancer" programme. That was based on a report by a committee of 12 European cancer experts, which report was welcomed on behalf of the United Kingdom by the Prime Minister on December 1986, when we last held the European presidency.

Tobacco is the main cause of cancer deaths in the European Community, so "Europe Against Cancer" has given priority to prevention in the struggle against tobacco abuse. In the context of that programme a list of 14 measures for a campaign against tobacco has been drawn up, and so far the Commission has proposed directives on five of those. The draft directive on labelling, one of those to be debated today, is the most advanced of all the proposals.

As the harmonisation measures originated in the cancer prevention programme, the proposals to be debated today take as their base a high level of health protection. That is required by paragraph 3 of article 100A of the treaty of Rome, which states that, in the internal market measures concerning health, safety, environmental protection and consumer protection,

"The Commission . . . will take as a base a high level of health protection."

The Commission's proposals are based on the most stringent existing provisions in any European Community member state.

I shall deal first with the proposal on the harmonisation of tobacco labelling. The Commission based its proposals on the Irish model of labelling, which is part of Irish law. Under the proposals there would be a health warning—

"Tobacco seriously damages your health"—

on the most visible surface of all tobacco packs and cigarette packs would also carry one of a list of specific warnings on the back. The labelling directive also proposes that cigarette packets should carry numerical information on tar and nicotine yields on the side of the packet. The health warnings and the tar and nicotine yield indications would occupy 5 per cent. of the relevant side.

Cigarettes sold in the United Kingdom have carried health warnings for the past 16 years, through voluntary agreements with the tobacco industry. Those warnings appear on the side of cigarette and hand-rolling tobacco packaging. Also, through the voluntary agreement, cigarette packets in the United Kingdom carry information on tar yield in the form of tar groups—low tar, medium tar and so on.

The proposals of the labelling directive differ from the present United Kingdom system in several ways. First, the Commission envisages that the directives would have to be implemented by law, whereas the present United Kingdom system is voluntary.

Secondly, under the present United Kingdom system only cigarettes and hand-rolling tobacco must carry health warnings. The labelling directive proposes to put a warning on all tobacco packaging, including cigars, pipe tobacco and so on. The proposed system would make warnings more prominent, and some of the proposed health warnings are taken from those already used in the United Kingdom.

The proposals to provide precise numerical information on tar and nicotine yields on cigarette packets would provide consumers with more information than they currently receive in Britain. At present, information on tar yield is expressed in terms of grouping; for example, low and high tar. Under the current United Kingdom system there is no information on nicotine yield on cigarette packs. It is hoped that the draft directive will be discussed by the Council of Ministers on 13 December.

The second proposed directive is on the harmonisation of maximum tar yields of cigarettes and is much less advanced than that on labelling. There is still much to discuss and we do not know what the final form of the proposals will look like, but I can describe what the present draft sets out to do. We all know that every cigarette is harmful to health, whatever its tar yield. There is no such thing as a safe cigarette, and there is no doubt that the risk of cancer is higher if the cigarettes smoked have high tar yield, as it is the tar that causes cancer.

The World Health Organisation has recommended a tar limit of 15 mg per cigarette. The directive aims to achieve that by the end of 1992. Spain has recently passed a royal decree to apply such a limit, and Portugal has recently introduced similar legislation. Following the recommendations of the European Community's committee of cancer experts, the directive also proposes a further reduction of the limit to 12 mg by the end of 1995.

We support the aim of reducing the tar yield of cigarettes, since we started it. For the past 16 years the United Kingdom has had a programme for continuing the reduction of what is known as the "sales weighted average tar yield"—commonly known as SWAT—of cigarettes. That is done by voluntary agreement with the United Kingdom tobacco industry. In that way we have brought the average tar yield of cigarettes down from 21 mg in 1972 to 13·6 mg today—a reduction of one third.

A difference between the proposals in the directive and the United Kingdom's voluntary system is that there is no general tar ceiling for cigarettes in the United Kingdom. However, there is a ceiling for the introduction of new brands, which stands at 14·5 mg. If the draft directive were to be adopted, it would affect 17·5 per cent. of the United Kingdom cigarette market where the tar yield would be above the proposed ceiling. In virtually all those cases the

existing tar yield is between 15 and 18 mg. Brands such as Senior Service, Capstan, and Woodbine would be among those affected in their present formulations.

Lists of tar yield, carbon monoxide and nicotine for brands on sale in the United Kingdom are published by the Government twice yearly and the tables can be found in the Library. The tobacco industry has been reducing the tar yield of its brands and there is a continuing trend towards smoking lower tar cigarettes. By the time any directive comes into force, it is possible that a smaller percentage of the market will be affected.

The voluntary agreement to reduce the "sales weighted average tar yield" of cigarettes has gone a long way towards ensuring that the United Kingdom smoker uses lower tar cigarettes than does the smoker in many other European countries. We hope that further progress will be possible. The future timetable on the draft directive is not clear, but it seems unlikely that it will be ready for the Council in under 12 months.

I should like to share with the House a couple of problems that are associated with the directives. We are concerned to retain the United Kingdom system, whereby voluntary agreements provide the means for controlling the conditions under which cigarettes are marketed. The system is well-established and has been shown to work effectively over many years. It has the advantage of being flexible, as it is negotiated every few years, and we can use that to take account of new concerns and technology. That would be less easy to do with legislation.

We have been arguing strongly in Brussels for the right to implement any directive that may be adopted through our system of voluntary agreements. It has been a general theme in other sectors of regulation and deregulation. We do not take issue with the broad aims of the draft directives, but we wish to keep our system, which has been working well. We shall continue to push for this in further discussions.

Another issue that arises from the draft directives is that each has a clause stating that member states may not prohibit or restrict the sale of products that conform to them. As they stand, this would outlaw present United Kingdom law prohibiting the sale of tobacco to under-16s. Other member states have similar problems. The European Commission is aware of this and is proposing to amend the draft to make it clear that member states may lay down provisions considered necessary to protect citizens' health against the harmful effects of tobacco, as long as the provisions do not affect labelling. It is important that we should be able to maintain the United Kindom's high standard of health protection in this regard, and we shall continue to press strongly for that.

Mr. Robin Cook (Livingston): I should like to press the Minister on whether the directive will be implemented voluntarily or legally. Will she comment on the report of the Select Committee on European Legislation, which suggests that the Government have received legal advice from the Council's Commission's legal services that legislation will be necessary if the Government are to implement the directive?

Mrs. Currie: Yes, we have received such advice, and the point will be pressed again at the meeting of Council Ministers on 13 December. My hon. Friends who tabled the amendment will be aware that this issue was raised by Mr. Speaker's counsel in March in the annex to the 19th report of the Select Committee on European Legislation. I note what my hon. Friends say in the amendment, but say that we have, we will and we do. We have raised this issue with the Commission, and will do so with the Council's legal services. We have still to be satisfied that the public health policy content of the directives is within the scope of article 100A3 of the treaty. We must reserve judgment on its appropriateness until we have heard the Commission's explanation.

Mr. Teddy Taylor (Southend, East): Why should the Government reserve their position until they have heard the Commission's views? Surely it is possible for the Government to have a view before they receive the Commission's advice.

Mrs. Currie: We have stated our position clearly. We think that we must put our points of view to the Commission and await its explanation. That is a courtesy to people who are putting points to us. That is also the position that we take on voluntary agreements. We have received legal advice and we hear what is being said. We believe that helping people through voluntary agreements has been successful, and we shall continue to say so in Europe.

Mr. Nigel Spearing (Newham, South): The Minister may not be aware that the Select Committee on European Legislation is conducting an inquiry into the treaty base, but has not yet reported. I should not have thought that acceptance of the amendment would be contrary to anything that the Minister has said. Surely the treaty is asking the Government only to raise the issue. Indeed, the hon. Lady has said that they have and will. Do I ascertain from her remarks that she is resisting the amendment, or is she saying "We have done it and therefore we are accepting it"?

Mrs. Currie: The hon. Gentleman has not heard the debate on the amendment. I am not moving the amendment, but I look forward to that being done by my hon. Friend the Member for Thanet, South (Mr. Aitken). I notice that the hon. Member for Newham, South (Mr. Spearing) has put his name to the amendment.

As part of my preparation for today's debate I read through a number of debates on the subject. I think that I have read almost everything that the hon. Member for Newham, South (Mr. Spearing) has said about it, and I enjoyed that very much. I note that he said the same thing over and over again and was answered at the Dispatch Box by a variety of Ministers. The hon. Gentleman does not seem always to have absorbed the gist of what they said, since his subsequent speeches were identical to the earlier ones. I look forward to hearing what he has to say later in this debate should he catch Mr. Deputy Speaker's eye.

The use of article 100A, which is essentially related to the establishment of the functioning of the internal market, is being kept closely under review by the Government. We press for the adoption of a different treaty base when article 100A is considere inappropriate. Although I understand the concerns expressed in the amendment, I cannot accept the implication—I hope that my hon. Friends will understand why—that the use of article 100A is not being kept under close surveillance, so I hope my hon. Friends will not press their amendment.

The Government support progress towards removing barriers to trade between member states. They are also

[Mrs. Currie]

anxious to maintain and develop health safeguards against smoking. In the United Kingdom the successful development of such safeguards is based on our well-established system of voluntary agreements between the Government and industry. We want to maintain the advantages of that system. We shall continue, in negotiations on these and subsequent directives, to place great emphasis on these important United Kingdom concerns and successes.

9.35 pm

Mr. Robin Cook (Livingston): The Opposition support the thrust of both directives. I understand the constitutional point expressed in the amendment, and I say to all those who have attached their names to it that I find it difficult to disagree with the idea that the directives have more to do with public health than with trade matters, so it is perhaps unfortunate that they are brought before us under this article.

It may have been sensible and salutary for those hon. Members to table their amendment to serve as a warning to the Commission that it will be in some difficulty if it brings in directives in this way about other matters that do not necessarily command the degree of support that the objective of these directives should. I fully support that objective. Having come thus far, it would be wrong to tell the European Commission to return to "Go". The tobacco lobby is immensely skilled in preventing progress on these heads.

With that in mind, I welcome the Minister's speech. It was a great advance on the comments of her noble Friend Lord Skelmersdale, who represented her Department when the matter was discussed in the Council of Ministers. He electrified the atmosphere and entertained the other Health Ministers by saying that he was unhappy about the directives as he took the view that individuals should be free to choose their own method of death—whether from high-tar cigarettes or from throwing themselves in front of the airport bus. I am glad that the Minister did not endorse either proposition.

I strongly support the proposals on labelling which would take the health warning off the side notes of the packet and put them up front on the two larger sides—back and front. That is desirable—[HON. MEMBERS: "Why?"] Because cigarettes kill. Fortunately, the labelling will be toughened to make that the message. As a result of the directive the current British expression, "Smoking can cause cancer," will change to the much more blunt and accurate statement, "Smoking causes cancer." It is important that we make these changes and that the labelling should be as bold and prominent as possible.

Although it is clear from many surveys that smokers well understand that substantial health risks attach to smoking, most smokers still do not believe it will happen to them, despite the overwhelming evidence that one in four of them will die of diseases related to smoking.

I also welcome the other directive, which the Minister described as not having made the same degree of progress and which relates to the limitation on tar yields of cigarettes, but I do so with more reservation than that with which I welcomed the first. Britain's gain from the directive will be marginal, as, by 1992, the ceiling will be 15 mg of tar yield per cigarette, which happens to be the average sales-weighted index that we have already secured. The effect of the directive will be merely to make the current average a ceiling. That is a gain, but it is a limited gain that will be offset if it gives anyone the mistaken impression that smoking a low tar yield cigarette is safe. That would be a very unfortunate conclusion for anyone to reach.

There are still serious grounds for concern on public health policy about the incidence of cigarette smoking in our nation. I stress the apparent growth of smoking among the very young. It has been documented in several studies that one in four children has acquired the smoking habit by the age of 15, which is very worrying when one considers future trends in smoking. It is unlikely that labelling alone will alter that trend and reverse the incidence of smoking among the very young, especially if those changes in labelling take place in a context in which the tobacco industry spends £100 million a year on advertising tobacco products.

I do not agree with the Minister's praise of the voluntary agreement with the tobacco industry secured by the Government. It is difficult to share her conviction that that voluntary agreement is successful and worthwhile. On the contrary, there is abundant evidence that the tobacco industry uses much ingenuity and fecund imagination in finding ways round all the heads in the voluntary agreement. A case in point is Marlboro, which, under voluntary agreement, cannot place a cowboy in its adverts because it would represent a figure attractive to youngsters. Instead of showing a cowboy, as it does in America, it shows endless shots of horses that would otherwise be ridden by the cowboy, who was presumably just off camera when the photograph was taken.

In Edinburgh, a disturbing survey discovered that a clear majority of tobacconists who carried on business near to children's playgrounds had external tobacco adverts which breached one or more of the heads of the voluntary agreement.

The voluntary agreement is substantially undermined by our tolerance of a remarkable amount of sponsorship of sports by the tobacco industry. A key point in the voluntary agreement is that tobacco should not be connected with success in sport, but the whole point of sponsorship of sport by the tobacco industry is precisely to connect tobacco with success in sport. It also provides a convenient way round the ban on advertising tobacco products on television. On average, one hour a day of television transmission time is given over to covering sports that are sponsored by the tobacco industry, with the remarkable result that most children still believe that tobacco adverts are allowed on television. They have never seen one; all that they have seen is the sponsorship of sports on television.

The most disturbing feature of the Minister's speech was that, given the history of circumvention of the agreement and its ineffectiveness in substantially reducing penetration by the tobacco industry into commercial sponsorship and advertising, at some stage the House will have to take the step that has been taken by more than 20 other countries and introduce a legal ban on tobacco advertising. Those 20 countries were most recently joined by Canada and some Australian states. I am puzzled by the Minister's references to proceeding by voluntary agreement rather than by legislation. It is difficult to

understand how the Minister can give effect to the directive on labelling without contemplating legislation, and I am puzzled by what she said about legal advice.

I understand why, as a matter of public policy, the Government may wish to preserve the voluntary agreement rather than introduce legislation. I believe that they are wrong, but I understand why they may prefer it. I cannot understand why, having received legal advice that it would be necessary to introduce such legislation to adopt the directive, they persist in ignoring it. That can only rest on the fact that there is legal advice available to the Government that counters the legal advice that has been tendered to them by the Council and the Commission. If not, and if the Minister is serious in supporting the directive and welcoming its objective, she will have to accept that it will require legislation. We would welcome such legislation because of the clear principle that it would introduce, that the tobacco industry has to advertise within the law.

Mr. Martin M. Brandon-Bravo (Nottingham, South): The hon. Gentleman's remarks are very revealing. Is this clear and firm Labour party policy? In my area, about 3,000 people are still employed in the tobacco industry, and probably five times as many as that are pensioners of a famous company, John Player. They would be interested to hear the final policy of the Labour party, as it now stands.

Mr. Cook: I am sure that the hon. Gentleman will take every opportunity of reporting it to them.

Mr. Brandon-Bravo: Why not?

Mr. Cook: I did not suggest a single reason why the hon. Gentleman should not do so. I suggested that he should do so. When he does report it to the tobacco industry, I presume that it will be relaxed about the proposal as it constantly lectures us that the point of advertising tobacco products is not to persuade people to smoke but merely to persuade those who smoke to shift brands. Therefore, I cannot understand why the tobacco industry, which keeps assuring us that nobody smokes because it advertises, is the least bit worried about advertising being banned by legal prescription. That has happened in over 20 countries. One day we shall have a Government who will pluck up the courage to take legal action to ensure that the tobacco industry has to advertise within the law and not within a voluntary agreement. To that extent, I am disappointed that the Government propose to implement this directive purely by voluntary agreement. If they do so, they will be throwing away what could possibly be the greater gain from this directive.

9.46 pm

Mr. Jonathan Aitken (Thanet, South): I beg to move, at end of the Question to add

'but expresses concern at the extent to which the Commission is presenting directives under article 100A when the issues involved fall more appropriately under other articles of the Treaty; and calls upon Her Majesty's Government to raise the issue of the Treaty Clause base at the Council of Ministers before discussions proceed on the merits of the proposed directive.'.

The amendment raises a small but nevertheless crucial constitutional point about what I believe to be the manifest impropriety in the method that the European Commission has used to bring in this proposed directive on the labelling of tobacco products with their tar content. As the amendment states, and as my hon. Friend the Minister has made clear, the legal basis for these directives is article 100A of the Single European Act's addition to the treaty of Rome.

My hon. Friend the Under-Secretary was tremendously candid with the House. She made it clear that these directives were being introduced basically for preventive health reasons and, as an ardent non-smoker, I am sympathetic to what the Commission is seeking to achieve and my hon. Friend's endorsement of it. I recognise that others may wish to quarrel with the substance and content of the directives. There are many cheerfully heavy smokers in the House and many with views like those of Lord Skelmersdale.

Mrs. Currie: I am grateful to my hon. Friend for giving way to me as I recognise that, with the leave of the House, I shall have an opportunity to respond later. However, I should not wish my hon. Friend to besmirch my perfect reputation. I said that the Commission said that these directives are part of the liberalisation of the internal market for 1992. I shall come back to that point later. It is not our view that they are being introduced for preventive health measures. There are on the horizon other directives under the "Europe Against Cancer" programme which are under different articles and which will possibly be debated in the House in due course.

Mr. Aitken: Far be it for me to besmirch my hon. Friend's reputation. I know when I am on a loser. However, in all seriousness, I find a certain Dispatch Box schizophrenia in what she said. I am not sure whether my hon. Friend thinks that she is speaking for the European Commission or for the Government. When she spoke for the Government, the major part of her speech seemed to be directed to the health reasons for backing these directives. Leaving aside the legal niceties and the requirement to be polite to the European Commission, I feel that the whole thrust of these directives must be that they are being introduced in the spirit of Euro-nanny knowing what is best.

That is the drive of these directives. We do not need to quarrel about whether we are for or against the content of the directives. I have tabled the amendment on the basis that it is crystal clear and a matter of common sense that we are seeking to introduce some good, preventive health engineering. My hon. Friend the Minister is quite right. That is not what the European Commission would like us to believe.

The clock struck 13 for me when I read the opening line of the directive which states that the elimination of all trade barriers by 1992 requires the harmonisation of national provisions governing the labelling of tobacco products. We should ask why that is the case. In considering the need for harmonisation across European Community trade barriers, the last thing we need to worry about is what labels are on tobacco cartons. Some of the explanatory memoranda make it clear that virtually all the European nations give some kind of health warning on cigarette packets. What appears to be at issue is the precise wording, whether we are being warned against bronchial —cum—cardiovascular diseases or fatal disease or whether smoking is simply bad for our health.

All that needs to be harmonised is the degree of verbal warning, not the fact that there is a message on the cigarette packet. It is nonsense to suggest that it is a

[Mr. Aitken]

requirement of the internal market to harmonise health warnings. It reminds me of the famous remark by the late governor Al Smith of New York who said, "However thin you slice it, it's still baloney." It is baloney that the Common Market Commission needs to gear up to harmonise the precise words.

Why do I take the trouble to labour the point at this late hour? I believe that the truth content of the opening words of the directive, like the tar content, is about 15 per cent. The other 85 per cent. of the truth content is that health is the issue here. In the polite language of the Select Committee on European Legislation, the directive comprises

"measures whose prime objectives appear difficult to reconcile with the establishment or functioning of the internal market."

We cannot find a more civil way of putting across the message that I was putting forward in rather blunt terms.

In the manipulation of the legal basis of the directive lies the dangerous thin end of the wedge in constitutional terms. As we contemplate a wide spectrum of directives, we realise that article 100A is a convenient vehicle for the social engineering ambitions of Mr. Jacques Delors and his Commission. Directives brought in under article 100A require majority voting. I cannot put it any better than in the language of Mr. Speaker's counsel. I quote from his observations on the directive in which he said:

"A particular danger is that areas of competence may pass to the Community undetected or at any rate unchallenged on the coat-tails of the internal market element in Commission proposals. This would be an unexpected result if one sees Article 100A as being concerned not with competence but with unblocking the decision-taking process in a particular area already well founded in the Treaty."

Mr. Speaker's counsel has put the case admirably. We, as a House of Commons, should not just let go, without comment, the fact that the legal basis of the directive is constitutionally unsound. The Government's legal advisers, particularly the Cabinet Office legal team which is supposed to fight such battles in the preliminary stages at Brussels, should have done their job much more thoroughly. They were asleep at the switch. Perhaps my hon. Friend the Minister will tell us later whether Lord Skelmersdale raised this point at the Council of Ministers when he spoke on the issue in the early stages. Did he make an effort to insist in the early stages that the directive should have been introduced under a different article of the treaty?

I was impressed by the response of my hon. Friend the Minister: "We have, we shall and we do," suggesting that she was almost enthusiastic about the amendment. However, a moment or two later she skated off on a different and less solid piece of ice and seemed to urge us not to press the proposal. She seemed unwilling to accept it because she said that the Government must preserve their position our of courtesy to the European Commission. I should have expected my hon. Friend of all people to take a slightly more robust approach. She is not afraid to state her position clearly and tread on a few toes from time to time. Surely we do not need to be so elaborately courteous that we do not dare state the British Government's position on a matter of such fundamental constitutional importance.

Mr. Spearing: I had an exchange with the Minister on that very point. Is the hon. Gentleman aware that there is a possible explanation for the schizophrenia to which he referred? According to my information, if a treaty basis is to be challenged, it must be challenged on introduction and by practice and an effective reversal of that basis must be by unanimous decision. Is it not possible that the Government apprehended that that might be impossible and therefore remained silent and will continue to do so despite what the Minister said? Perhaps that is the reason for her unwillingness to accept the amendment.

Mr. Aitken: Perhaps my hon. Friend will respond to that herself.

My hon. Friends and I wanted to put down an important constitutional marker. I would not wish to spoil the directive on this issue, and that is in no way the point of this exercise. However, if we do not protest at this thin edge of the wedge, article 100A will be used in much more sinister ways. In view of what my right hon. Friend the Prime Minister has said recently—in her speech in Bruges and about the social dimension of the market, which she opposes—the sooner we make our position clear the better.

9.57 pm

Mr. Michael Knowles (Nottingham, East): My hon. Friend the Member for Thanet, South (Mr. Aitken) and I do not often agree about subjects relating to the Community. Generally he is regarded as an opponent and I am regarded as a supporter. Nevertheless, my hon. Friend has raised some valid points, and I should like to add to them.

Who decided that the health department in each country would be the lead department for directives concerning the tobacco industry? Let me declare my interest. I am a Nottingham Member and, as my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) said earlier, 3,000 jobs are at stake in the city, and many more depend upon them. I make no apology to anyone for that declaration of interest. The health departments have been given the lead on a subject affecting a major industry with wide implications for employment and tax yield. If one consults any health department anywhere in the world on the subject of tobacco, one knows what the outcome will be. Quite simply, they are agin it; one can take that as read. Make them the lead department on any matter to do with tobacco and they will come up with restrictions. Rather than restrictions in one country we shall have restrictions from 12 health departments across the whole Community. That outcome was certain, but surely there were other Departments with an interest in such a major industry, such as the Department of Trade and Industry and the Treasury, which would have tax yield in mind. It would seem that their interests have not been included.

There is a problem within the Community—it is highlighted by the debate—that has been well described as the democratic deficit. We know that the Select Committee on European Legislation gets in on the act only at a late stage when proposed measures have already passed through the Council and the Commission. The European Parliament comes in on the act only at the tail end of the process. The idea of any elected assembly having any real say does not apply. Such assemblies are presented with a fait accompli at each stage. That should be of concern to us.

Mr. William Cash (Stafford): My hon. Friend and I served on the Select Committee on European Legislation a few years ago, and what he has just said is frequently the reality. The Committee comes in rather late, and he will know that I was pressing for a long time that it should come in much earlier. It is possible within the Committee's terms of reference, and as a matter of procedure, for it to do so. As majority voting applies, as distinct from issues that are subject to unanimity, it would be highly desirable if we were to press effectively for early consideration of these issues.

Mr. Knowles: Absolutely. My hon. Friend and I are at one.

The Danish Parliament has probably gone too far, for its committee is over-restrictive on the Government. The French and German national Parliaments have close liaison between European members and national members and they achieve more of a balance. The United Kingdom Parliament is outstanding because as a national Parliament it gets no say whatsoever. Much is left in the hands of Government Departments. Of course, I share the faith that all of my right hon. and hon. Friends have fingertip control and are aware of everything that is going on within their Department night and day. However, there is the possibility that what we are seeing in Europe is a conspiracy of bureaucracies between the national bureaucracies in the 12 member states and the Community. At no stage does any elected assembly have any real control. That concerns me and it should concern all hon. Members. We should reinforce the powers of the Select Committee on European Legislation.

My hon. Friend the Minister is in the happy position of knowing that the hon. Member for Livingston (Mr. Cook), the Opposition spokesman, was more extreme than herself. The hon. Gentleman made her appear more reasonable than perhaps she was. I can remember the halcyon days of about 10 years ago when we made speeches about the nanny state. We used to complain also about there being too much legislation. I suppose that times change. The truth is that we now see the nanny state writ large on a European scale. The irony is that without harmonised testing methods and procedures it is likely that barriers to trade could be raised by this measure, not lowered.

Despite what my hon. Friend the Minister has said about the Government continuing to press for the voluntary agreement to be recognised, I have my doubts. I fear that we shall see swept away a system of co-operation between the industry and the Government. I have no doubt that the hon. Member for Livingston would say that it would be much better to replace that system with a system of law, which would introduce much more control. I am not sure about that. When Bills pass through Parliament and become enacted we often think that they will achieve our purposes, but sometimes they do not. If there is a war between a major industry and the Government, I am not sure who will win. I would be wary of going down that path. It is easy to advocate the principle, but the outcome of a confrontation would not be certain.

The effect on the industry in Britain would be devastating, if the proposed ceiling would ban 82 per cent. of cigarettes currently manufactured in this country. That would have a massive effect on the industry.

I believe that the tar proposal in particular has just been disguised as part of the internal market so that it may be passed through the Council of Ministers on a weighted voting system. The proposal has nothing to do with internal trade, which was the point of article 100A. The article is being used for false purposes. That is wrong.

My hon. Friend the Member for Thanet, South (Mr. Aitken) said that items might be swept under article 100A when they should come under other articles. That means that they must be passed automatically and that opens a very wide gate. My right hon. Friend the Prime Minister could repeat her Bruges speech ad infinitum. However, if that gate is opened the powers of the European Community will increase massively. There might be arguments for that, but we should debate them openly and not let matters slip through by inching the gate open steadily without debating the constitutional points.

Mr. Cash: Does my hon. Friend accept that, irrespective of what could or might happen in the Council of Ministers on this point, if there is a technical breach of the vires in that member states are not entitled to use article 100A, that could be taken to the European Court of Justice? Irrespective of the view of some people that the European Court of Justice would naturally tend to side with the Commission, that might be the right route to adopt given the considerable doubts expressed about this matter.

Mr. Knowles: I suspect that the battle has been lost. If that was to be the practice, it should have been done at the beginning when the matter first went to the Council of Ministers. I suspect that it is too late now for this directive. However, that should be the procedure for the next directive on this matter which might be slipped through.

The tar proposal is far in excess of what is necessary to permit the free movement of goods, which is the point of article 100A. We must be aware of that. If the proposal works for the 12 member states' health departments allied to people in the Commission who share their views, that route will be used for many other restrictions in other areas. We must be very careful before we go down that road without sounding a warning.

10.7 pm

Mr. Roger Sims (Chislehurst): In his opening comments my hon. Friend the Member for Nottingham, East (Mr. Knowles) said that every health department would be against the use of tobacco. He said that in terms which suggested that they were all part of some sinister plot. However, he is absolutely right, and every health department will be against tobacco.

I want to repeat two propositions that I have uttered in the House before, and I do not apologise for doing so. First, smoking is the largest avoidable cause of death in this country. Secondly, 100,000 people per annum die prematurely from smoking, and thousands suffer painful illnesses and diseases because they smoke.

The House will be aware that I am chairman of the all-party group ASH—Action on Smoking and Health. Hon. Members may also be aware that the group's vice chairman is the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). That shows that the group covers a pretty wide spectrum in the House.

Members of ASH are subject to frequent criticism from an organisation called FOREST—Freedom Organisation

[Mr. Roger Sims]

for the Right to Enjoy Smoking Tobacco—which, alas, often demonstrates qualities of intolerance and bigotry which it ascribes to us. FOREST claims to promote the interests of freedom, but it is of course a body financially supported by the tobacco industry. We are neither intolerant nor bigoted. If a man or woman wishes to smoke, that is his or her free choice. However, we claim the freedom for the non-smoker not to have to breathe other people's smoke.

Mr. Deputy Speaker: Order. I draw to the hon. Gentleman's attention the specific proposals that are before the House, to which he is not addressing himself.

Mr. Sims: I am obliged to you, Mr. Deputy Speaker, and in view of your ruling I shall not pursue that point.

I was trying to indicate the areas of criticism made by FOREST. Another takes the form of an implication that there is something unreasonable or improper about a number of the cases made by ASH. We argue that because of the overwhelming evidence of the harm done by smoking there is a heavy responsibility on the Government to reduce the health risks of smoking, to persuade smokers to smoke less or to stop, and to dissuade young people from starting to smoke.

The two draft directives before the House are both useful steps in that direction. There is clear evidence of the relationship between the quantity of tar in cigarettes and the cancer risk. In recent years the level has been reduced from 30 mg to 15 mg, so a further reduction to 12 mg by 1995 should not be difficult to achieve. It will at least offer a modest reduction in the health risk, so I strongly support that directive.

The other draft directive is on the labelling of tobacco products. As my hon. Friend the Minister said, that is nothing new, because tobacco products have carried health warnings for several years, on the smaller sides of cigarette packets. They include the words:

"Smoking can cause fatal diseases,"

"Smoking can cause heart disease,"

and

"Smoking can cause lung cancer."

Right hon. and hon. Members will note the element of doubt, with the use of the word "can". The fact remains, as was said by the hon. Member for Livingston (Mr. Cook), that smoking does cause cancer and other diseases.

In 1985 the Health Education Council undertook research which clearly showed that, to be effective, cigarette packet warnings needed to be more prominent and strongly worded. The draft directive achieves both those aims. It requires that health warnings appear on both the larger sides of cigarette packets, and it details a series of strongly-worded warnings. The extent to which a country adopts them is optional. I hope that our country will use them all, because frequent changes of wording are more likely to attract attention. That proposal also has my support, because anything that brings home the danger to smokers, and especially to potential smokers, must be beneficial.

The draft directives refer to tobacco products, not simply to cigarettes. As I understand my hon. Friend, they will also cover cigars, cigarillos, and pipe tobaccos. When my hon. Friend replies to the debate, perhaps she will also indicate whether the directives will cover Skoal Bandits, which are the oral tobacco pouches, with which some right hon. and hon. Members may be familiar. Whether or not they do is academic, because I understand that the Government intend prohibiting Skoal Bandits altogether, although as yet we see no signs of their bringing such a measure into effect. Perhaps my hon. Friend will indicate what is happening on that front.

It is the Commission's intention that the draft directives shall be translated into legislation. My hon. Friend has indicated that, hitherto, the Government have favoured voluntary arrangements and prefer to continue on that course. I join the hon. Member for Livingston in urging the Government to think again. Voluntary agreements are inevitably a compromise. They do not go as far as the Department of Health would want and, by their nature, they cannot be enforced. Compliance with the directives would not, I understand, involve complex legislation. We could comply with the directives simply by orders under the Consumer Protection Act 1987, and I suggest that that would be an appropriate course to follow.

The purpose of the legislation is harmonisation. There is one other matter of great concern on which my hon. Friend touched—the suggestion that member states may not prohibit or restrict the sale of products when they are conforming to those directives. That conflicts with our law prohibiting the sale of cigarette products to the under-16s. Research shows that, in the 11 to 15 age group, 12 per cent. of girls and 7 per cent. of boys smoke regularly. In the 15 to 16 age group, the figures rise to 27 per cent. of girls and 18 per cent. of boys. Half the adult smokers started smoking as children, so it is vital that, far from our powers to restrict sales to under-16s being reduced, they should be strengthened.

I accept that the Commission is aware of this problem, but I put it to my hon. Friend that it must be a condition of our accepting these directives that that point is adequately dealt with. Of course, there has been opposition from the tobacco industry to these directives, perhaps not surprisingly, and no doubt we shall hear more. I have carefully read the submission by the Tobacco Advisory Council and its European counterparts. I find their case unconvincing and very much a matter of special pleading. To draw a parallel between requiring lower tar yields and the complete prohibition of alcohol in the United States is stretching logical argument beyond reason. Nor does a plea that printing health warnings on the front of the packet would depreciate the commercial and legal value of the trade mark carry much weight.

I hope that the House will support the motion. I urge the Government to support and implement the directives as soon as practicable.

10.17 pm

Mr. Martin M. Brandon-Bravo (Nottingham, South): I do not smoke, but, to abuse that famous saying, I shall defend my constituents' right to do so. I want to defend more than just my constituents. I refer to an intervention that I made earlier, and to comments by my hon. Friend the Member for Nottingham, East (Mr. Knowles), that the six or seven constituencies that make up greater Nottingham contain the homes of about 3,000 people who are directly employed in the tobacco industry by probably the country's most famous tobacco manufacturer, John Player. It is my duty, if nothing else, to represent the interests not just of those who are still working for John Player but of the many thousands of its pensioners who

have benefited from that company's commercial activities over many years. Their case is entitled to be heard in the House.

I concede that the aims of the motion are much in line with current thinking, but, as has been mentioned by a number of colleagues, I am disturbed at the route that the EEC has taken. I welcome the comments of my hon. Friend the Minister and hope that something can be done to bring to the EEC some of the depth of feeling on this topic. As my hon. Friend the Member for Thanet, South (Mr. Aitken) said, it is difficult to link article 100A with the functioning of an internal market. By a stretch of the imagination, I suppose that one can, but if we do not stamp on it now I do not think that we shall ever be able to do so.

We are asked to look at this proposal in the context of the single market in 1992. We are also asked to believe that it is designed to ensure the free circulation of tobacco products and to take into account health considerations. I cannot look at it in that light. I am also puzzled by the insistence on packaging being printed in the language that is used at the point of sale. That will make life even more difficult. It will result in a restriction on the circulation of goods.

We are told that the elimination of all trade barriers by 1992 requires the harmonisation of all national provisions that govern the labelling of tobacco products. I am not against the adoption of a common approach to health warnings, but it is a pity that companies with traditional packaging or world-famous logos should be told by the hon. Member for Livingston (Mr. Cook) that warnings round the sides of the packs are not enough—that people are so stupid that, unless the warnings are plastered across the front of every pack, they will be unable to read them. That is stretching the point much too far. I believe that the black and gold pack of John Player and the blue pack of the French Gauloises are traditional to those companies. I see no reason why they should be forced to change their packs because they have to be plastered with health warnings 50 times over.

I do not believe that the tar proposals should be part of the integrated market programme. I do not like the way in which that proposal is being handled by the Council of Ministers. If we accept the proposed ceilings, 82 per cent. of all our brands will have to go off the market. Customer choice may change over time and the industry may be able to adjust to that change, but the fact is that a staggering 82 per cent. of all our brands would have to come off the shelves if the proposal were to be applied quickly. Even if the ceilings were agreed, it is just possible that, without harmonised testing methods and procedures, barriers to trade would be created.

I ask my hon. Friend the Minister to ensure that in the right quarters our approach to the tax proposals is handled much more carefully. I should hate the tax proposals to be slipped in by the Commissioners by means of another article that did not allow the House to exercise the sovereignty over taxation that hitherto we have taken for granted.

Mr. Ian Taylor (Esher): Does my hon. Friend agree that a directive of this kind means that the value of harmonising trade throughout the European Community has been hijacked, in this case by the anti-smoking lobby? Does he also agree that those who want the market to be opened up are very concerned that the Commission may introduce other measures, under which the proponents of the social dimension will try to hijack measures that are designed to open up the market? It is the confusion between the two objectives——

Mr. Deputy Speaker: Order. We are discussing the labelling of tobacco products and the tar yield of cigarettes.

Mr. Brandon-Bravo: My hon. Friend is absolutely right. The proposed labelling and all it stands for is part of what has correctly been described as a manifestation not of the nanny state but of the nanny continent.

Even the industry does not try to kid anybody that tobacco is good for one's health, but I hope that the taxation arrangements will be much more specific than ad valorem. If we tax ad valorem, we shall merely reduce the number of cigarettes made in Britain. There will be very little reduction in the number of cigarettes smoked. All that will happen is that we shall import cheap, subsidised tobacco from a variety——

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will bear in mind what I have just said. We are discussing the labelling of tobacco products and the tar yield of cigarettes, not taxation.

Mr. Brandon-Bravo: I am grateful to you, Mr. Deputy Speaker, but we are trying to illustrate that the article that we are discussing is one of the danger points. We are anxious that if labelling comes in under this article, so might taxation. That is a matter of real concern——

Mr. Deputy Speaker: We are not discussing an article. We are discussing two draft directives with specific intentions, to which I have referred. I hope that the House will direct its remarks to them.

Mr. Brandon-Bravo: The Commission seems to be trying to extend its powers in this area of public health by engineering the sole right to amend enacted legislation without reference to national Parliaments.

I am not quite sure how the Greeks will react to this one. During the recess, I had a very happy week going through Salonika where a lot of tobacco is grown. There are no health warnings on Greek cigarettes and 70 per cent. of the male population smokes its head off, but, believe it or not, Greece has the lowest incidence of lung cancer in Europe.

Mrs. Currie *rose*——

Mr. Brandon-Bravo: I offer that only as a piece of gratuituous information which I knew would produce a response.

Mrs. Currie: I am sure that my hon. Friend would not wish anybody to think that lung cancer develops quickly after the smoking rate rises. In Britain we have found that as smoking has dropped, and particularly as the tar yield of cigarettes smoked has dropped, it has taken 10 to 15 years for falls to be shown in mortality from lung cancer.

Mr. Brandon-Bravo: I am not disputing my hon. Friend's figures. I am simply saying that the Greeks have probably been smoking for as long as people in Britain. There seems to be a strange quirk of reality. Some 70 per cent. of Greek adult males smoke, but they have the lowest incidence of lung cancer in Europe. Even worse is the fact

[Mr. Brandon-Bravo]

that they smoke tobacco with a much higher tar yield than do the British. That may not fit the received wisdom of the Minister, but it is the reality.

We understand that tobacco is not good for health. We are not trying to push smoking. We are simply trying to ensure that, if people wish to smoke, they understand the risks. The House should recognise that many thousands of people depend, directly or indirectly, on this industry for their jobs and their livelihoods. We should not lightly set their interests to one side.

10.28 pm

Sir Trevor Skeet (Bedfordshire, North): I listened attentively to my hon. Friend the Member for Thanet, South (Mr. Aitken). His argument was very sound.

A convenient instrument—article 100A—has been selected. It was calculated initially to harmonise national law to remove obstacles to free trade. The Community's proposals for ensuring the free movement of goods are excessive. Indeed, they would disrupt trade, industry and competition.

The EEC grows approximately 350,000 tonnes of tobacco in some 250,000 farms, which are largely in the poorer countries of the Mediterranean. The tobacco is low in nicotine and unsuited to the manufacture of low-tar cigarettes. Much of the current crop would be unsaleable by 1991. The countries concerned are Greece, Italy, Spain and Portugal.

Are we to contemplate that the purpose of article 100A is deliberately to thrust people into unemployment? That is not the way to enlarge trade—it will constrict trade, and I do not believe that that was the aim. The Commission had health considerations in mind and proposed to use them as a convenient method to achieve the inevitable result of the majority vote, as has already been said.

My hon. Friend the Minister has said that there is no such thing as a safe cigarette. I dare say that we shall hear from the Opposition that one cigarette will cause death. I do not accept that view. My view is that we should be careful not to lay down maxims, but to do nothing to excess is a reasonable view of life.

As for the draft directive on labelling, 90 per cent. of people recognise the health warning. It cannot be brought to their attention any more clearly. I do not consider that it would be any more significant if it were printed on two or three sides of the carton or if the trade mark were eliminated. The method of smoking is also relevant. If people puff harder, they will get more tar in their lungs. If they smoke lightly, they will be less affected.

Therefore, the battle is not quite as easy as the Minister says. However, I shall support her in one respect. It has been traditional in the United Kingdom to carry out consultation with the industry and that has been very successful. I am not sure that I accept the Minister's figures, so I shall provide my own. The average tar yield of cigarettes has dropped from 22·5 mg per cigarette in 1970 to 13 mg per cigarette in 1987—a reduction of about 40 per cent. in 16 years. That was achieved without legislation through a voluntary arrangement with the industry concerned, with the minimum disruption and without the prohibition of any brand of cigarettes. That is what can be achieved.

Apparently the Opposition are saying that we should have legislation and that everyone should be bound by it. It has been said tonight that, if we were to impose a level of 12 mg by 1995, 80 per cent. of cigarettes in the United Kingdom would be unsaleable, as would 83 per cent. of those in the European Community. I am not certain whether my hon. Friend the Minister would agree with the figures that I have given, but they are the industry's figures. I think that some of the figures that she cited were very much lower. However, that would lead to a massive disruption and loss of employment which we do not wish to see in the United Kingdom.

I shall make only one other point as I do not wish to take up too much of the time of the House. I mentioned that the method of smoking is significant, but for the growers in the United Kingdom and elsewhere I must pray in aid the fact that a marked change must be phased in. Blending tobacco is extremely difficult unless there is the correct leaf and would have to be secured from abroad and that could lead to considerable difficulties during the next two or three years.

10.34 pm

Mr. Barry Field (Isle of Wight): I have to declare an interest in the matter because my father gained passing notoriety when he successfully saw off a robust bid for the family company by a tobacco company and as a result a poem was published in the *Financial Times* which lampooned the fact that the tobacco company had gained control of and owned Golders Green crematorium. The late Jimmy Hanley used to say that the only sign of life was the smoke coming from the crematorium chimney. Lest hon. Members feel that I approach the subject with too much flippancy, I should say that my family has done a considerable amount for research at the Royal Marsden hospital and was active in the early days in furthering Dame Cicely Saunders in the hospice movement.

Article 2 of the proposed directive defines tobacco products as

"products for the purpose of smoking, sniffing, sucking or chewing inasmuch as they are, even partly, made of tobacco".

Can my hon. Friend the Minister tell me who will decide which is the front and which is the back of a bar of chewing tobacco so that the health warning may be printed upon it?

The question that I should like to ask my hon. Friend and the hon. Member for Livingston (Mr. Cook) involves the "sniffing" mentioned in article 2. The House of Commons Public Information Office circular No. 52 states:

"Another curious survival of the eighteenth century is the provision of snuff, in recent years at public expense"—

I stress, "at public expense"—

"for Members and Officers of the House, at the doorkeepers' box at the entrance to the Chamber. A few still avail themselves of the facility. Snuff, however, is the only form of tobacco the use of which is tolerated in or around the Chamber: smoking has been banned there and in committees since 1693."

I learn from the book, "The Great Palace", that the snuff provided is contained in a box made of oak

"saved from the bombed Chamber after the last war, and it contains a blend of snuff milled especially for the Commons. On top of the box there is a silver plaque which lists the names of the Principal Doorkeepers who have guarded the Chamber door."

Our Principal Doorkeeper, like all our Doorkeepers, had considerable and distinguished service in Her Majesty's armed forces. One wonders whether, on his front and back, he will require a health warning of the dimensions laid out in the proposal directive.

I should like my hon. Friend the Minister to direct her attention to the fact that the hypocrisy of the House is yet again evident. It is a case not of do as I do but do as I say. The hon. Member for Livingston made it clear that the Labour party wants to see action on the health hazard, yet we have a tobacco product provided for all hon. Members at the taxpayers' expense.

Apart from motorists in Britain, I know of no other groups who are now as persecuted as smokers. In the past few weeks we have heard much about pensioners, and to

[Mr. Barry Field]

many of them their bit of tobacco, their puff and their pint of beer is the comfort to which they look forward in their twilight years.

The objective of the directive is said to be to achieve greater protection of the individual. Nowhere can we see the ghost of Jacques Delors more clearly printed than in that phrase. Conservative Members believe that the protection of the individual is in his own destiny and choice, not in EEC directives.

10.39 pm

Mr. Richard Alexander (Newark): I shall be brief, as my hon. Friends the Members for Nottingham, South (Mr. Brandon-Bravo) and for Nottingham, East (Mr. Knowles) have covered the points that I would otherwise have covered at greater length. This matter is of concern to Nottinghamshire and to those employed in the tobacco industry.

I am sorry that the debate has, perhaps understandably, been bedevilled by hostility to the tobacco industry. If we are to say that tobacco has some of the evil effects described by hon. Members, we should debate it openly and thoroughly. If we are to ban tobacco, we should say so, not try to strangle it by the back door through a European proposal disguised as trade harmonisation. We should do one or the other.

There has been co-operation between the industry and the Government through the voluntary agreement, which has worked. The tar level has dropped from 22·5 mg to 13 mg per cigarette. If the proposal comes into force, all that good will will be dissipated. People will feel aggrieved, especially those in the industry who have co-operated. It will put paid to co-operation completely.

Some people want to go further down the health warning route. These proposals certainly do. I share the doubt that has been expressed by some of my hon. Friends about the effectiveness of the health warnings. I am not a smoker of cigarettes, but I have always found that those who are ignore the health warnings when deciding whether to buy another packet or to have another cigarette. The proposed directive will have no greater effect, but at the same time it will be a further brake on the industry's competitiveness and its ability to trade as it best knows how and legally.

If the EC believes that warnings are effective, why do we need a dual system? Why clutter cigarette packets with a load of information that no one will bother to read? It will be difficult to do so, be it on the back or the front, through the various trade marks or logos. I do not think that a proliferation of print will do anything other than restrict the tobacco industry in the sale of its products in a lawful manner.

Even if the amendment does not appeal to my hon. Friend the Minister, I hope that the way in which it is proposed will. I am a signatory to the amendment moved by my hon. Friend the Member for Thanet, South (Mr. Aitken). If we are to restrict the sale of tobacco, we should do so in a sensible and correct way. I object to the proposals if the Commission will be able further to restrict tar yields or labelling without reference to Ministers. Civil servants restricting trade without reference to Parliament or Ministers is completely unacceptable.

Even if my hon. Friend the Minister disagrees with my views on the tobacco industry, I hope that she will share the widespread concern of hon. Members about the way in which it will be done.

10.43 pm

Mr. Teddy Taylor (Southend, East): It is a pleasure to have the opportunity to speak on some of these important measures.

I hope that before a decision is made by the Council of Ministers the Minister will answer two important questions. First, what will be the cost to the EEC of making alternative provision for the massive European tobacco industry?

As the Minister knows, the European tobacco industry is the third largest producer of tobacco in the world. There are no fewer than 250,000 producers. They operate mainly in the southern parts of Europe, but there are also a few in the United Kingdom. Sadly, these producers make a kind of tobacco that is difficult, even over a period of years, to change to the proposed acutely low levels of tar. The industry will need an alternative system of support. Bearing in mind the astonishing bills that the EEC has landed us with, due to the common agricultural policy and the protection of agriculture that that entails, and that these producers have limited incomes, we need to know the cost of such alternative provision.

Secondly, will the Minister inquire to what extent the directives can fit in with free trade? The only conceivable connection is that Belgium, with three languages, will be put at a significant trade disadvantage because if the warnings are printed in three languagues on the packet there will be no room left on it to describe the contents. Is not that being unfair to Belgium?

I hope that the Minister appreciates the importance of the amendment. I hope that she has noticed that it is supported by my hon. Friend the Member for Esher (Mr. Taylor), among others. He is an acknowledged enthusiast for almost every part of the EEC, but not for administrative nonsense. Under the Single European Act we gave the EEC additional powers that enable it to take decisions by majority vote. We decided on the category of things that should be so decided.

When the Commission, as my hon. Friends the Members for Thanet, South (Mr. Aitken) and for Esher and the Select Committee have said, goes beyond that category, it is reasonable that the Government should express their concern about such abuse. We fully appreciate that the Government can probably do nothing; even if they protest, it would need a unanimous Council decision to change from article 100A to the appropriate article. Nothing may be achieved by protest, but when powers are being abused, as almost all hon. Members in the debate have agreed they are, the least the Government can do is to express their displeasure and tell the Commission that it is doing something wrong. That might influence the Commission's future actions.

We know that Parliament does not consider these things. We decide nothing about the subjects that fall within the famous 80 per cent. sovereignty category. Even the Government do not decide most of these things. Measures can be enforced on us by majority vote. On the other hand, if the Commission goes beyond the powers granted by the Single European Act, we have the right to

complain. I hope that the Minister, who is noted for her independence and vigour, will tell the Council at the meeting that it is in error, and ask it not to do this again.

10.47 pm

Mrs. Currie: This has been an extremely useful take-note debate. We have heard a large number of pertinent speeches. I was distressed to hear that my colleagues feel that the Department of Health should not take the lead. I am speaking for the United Kingdom Government, and lines are cleared with our colleagues in the Department of Trade and Industry, the Treasury and other Departments before and during negotiations. I am not speaking only for myself.

Perhaps I should clear up the important question of how much snuff costs in the House. The hon. Member for Newham, North-West (Mr. Banks) tabled a question about that to my right hon. Friend the Lord President of the Council on Monday 7 November and was answered as follows:

"The average annual consumption of snuff provided by the Principal Doorkeeper is some 1¼ oz. I understand that only one hon. Member regularly takes advantage of this service. The average annual cost to public funds is 99p."—[*Official Report*, 7 November 1988; Vol. 140, c 93.]

My hon. Friends have expressed concern about several issues. I shall try to deal with them quickly, recognising that debates on other draft directives are to follow.

Broadly speaking, my hon. Friends have dealt with three main topics. My hon. Friend the Member for Southend, East (Mr. Taylor) asked whether we should have majority voting, a point hinted at by one or two other hon. Members. That was dealt with in the debates on the Single European Act, which was passed with a large majority. On Second Reading the majority was 159, and the United Kingdom has been a major force in negotiations to make progress on the Single European Act using majority rule. Since 1985, more than 200 measures have been agreed, including 60 this year alone—many under the qualified majority rule—and that has had a catalytic effect on increasing the pace towards 1992. That may be one reason why my hon. Friend does not like it. I recognise the sincerity of the views that he and some of my hon. Friends expressed on that.

The second question is whether we should deal with tobacco as part of the move towards 1992. It is a legal product and a traded commodity, like many others. The trade runs into many millions of pounds. Others may not see the argument for excluding tobacco from our discussions. Labelling and product content are important matters that have been discussed in connection with many other legally traded products—for example, in the food directives, the labelling of cosmetics and the product content of pharmaceuticals. As long as a product is traded, as tobacco is—it is a legal product, and we have no plans to change its status—it is likely to be scrutinised by those concerned with trade. There are trade elements in the directive, so there are grounds for using article 100A.

I apologise to my hon. Friends if that sounds like casuistry, but labelling is different in various countries, and that might be a barrier to trade. Therefore it is appropriate that some discussion should take place on the basis of this article.

We may need to separate in our own minds the Commission's proposals on a traded product from our worries about tobacco as such. I recognise the interests of constituents that have been expressed by several hon. Members. They are honourable concerns, and hon. Members are doing their jobs as constituency Members well. I also recognise the concern that has been expressed about the nation's health and about some of the other claims made about the nation's health, which are not always well supported. We share those concerns. We already have means of dealing with them.

As for Greece, it is for the Greeks to decide their attitude to the directives. As to what my noble Friend Lord Skelmersdale said at the Council of Ministers, I understand that he did not mention the treaty base, but that he did use the words quoted by the hon. Member for Livingston (Mr. Cook), and therefore left no one in any *doubt where he stood.*

My hon. Friend the Member for Chislehurst (Mr. Sims) asked whether the directive would cover Skoal Bandits. The answer is yes. He asked where we stand on the proposals on Skoal Bandits. Representations are still under consideration.

I have some sympathy with the points made by my hon. Friend the Member for Thanet, South (Mr. Aitken), which were echoed by some of my colleagues. We do not believe in harmonisation for the sake of it. We need to be convinced that the directive will remove barriers to trade, not erect them. The directive should have trade as its objective, as long as it is part of the moves towards 1992 —and little else. The primary purpose of these objectives is trade, but it is permissible under the treaty for health to be a subsidiary purpose, and when it is, paragraph (3) of article 100A is relevant. That is the "best practice" paragraph.

The Commission is considering other directives and documents on tobacco which come under other articles. Smoking in public places and the protection of children from tobacco will come in under article 235; broadcasting under articles 57 and 66; and tax harmonisation under article 99. A preliminary draft for a Commission-proposed directive on tobacco advertising has just been received. It is not yet known what the draft contains, nor under which article of the EC treaty the directive will be proposed. As for tax harmonisation, the directive was passed in 1977, but unanimity is required. My right hon. Friend the Prime Minister and the Chancellor of the Exchequer have said publicly that deregulation, not approximation, is necessary for the completion of the single European market.

The third question that has been well aired tonight is whether we should use voluntary agreements instead of legislation. The United Kingdom has always been pragmatic on this matter. Our approach has been a mixture of legislation and voluntary action, and legislation on the subject goes back more than 50 years to the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936. The most recent legislation was the Protection of Children (Tobacco) Act 1986.

This morning I saw Professor Sir Peter Froggatt of Belfast university, who is the chairman of the independent scientific committee on smoking and health, which was set up to advise the Government on a variety of issues relating to smoking and tobacco. He expressed his concern about the sales-weighted average tar yield agreement, which is now faced with some problems. He said that he wanted us to put it on record that he felt that SWAT, which cannot be enforced, is useful, and we should do what we can to keep it. Therefore, we continue to take a pragmatic view on this.

[Mrs. Currie]

I have given some thought to the approach that we ought to adopt to the amendment, especially as it has been tabled by hon. Friends. However, it is much too sweeping in its general criticism of the Commission. As I said, had they done us the courtesy of asking us for our views before they tabled the amendment, they would have found that we had some sympathy with their points. I have had no letters or parliamentary questions from any of my seven hon. Friends who tabled the amendment, on tobacco products or on policy. They have not asked to meet me, although we are always happy to meet colleagues. Had they done so, they might have rewritten their speeches and the amendment in such a way that I would feel passionate about accepting it. In the circumstances, although we do not dissent from the concerns expressed, we cannot accept the amendment.

Mr. Aitken: I am disappointed by the response of my hon. Friend the Minister. I did not expect to get a ticking off. I am mindful of the fact that this is a House of Commons occasion, because views firmly in favour of the amendment have been expressed from both sides of the House. My hon. Friend has not produced a convincing answer, so I shall press my amendment to a Division.

Question put, That the amendment be made:—

The House divided, Ayes 11, Noes 82.

Division No. 496] **[10.58 pm**

AYES

Barnes, Harry *(Derbyshire NE)*
Bermingham, Gerald
Buckley, George J.
Crowther, Stan
Cryer, Bob
Jones, Martyn *(Clwyd S W)*
Meale, Alan
Patchett, Terry
Pike, Peter L.
Skinner, Dennis
Spearing, Nigel

Tellers for the Ayes:
Mr. Teddy Taylor and
Mr. Jonathan Aitken.

NOES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashdown, Paddy
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl'th's)*
Burns, Simon
Butterfill, John
Carrington, Matthew
Chapman, Sydney
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Dykes, Hugh
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fookes, Miss Janet
French, Douglas
Gale, Roger
Goodson-Wickes, Dr Charles
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hamilton, Hon Archie *(Epsom)*
Harris, David
Heathcoat-Amory, David
Hind, Kenneth
Howarth, Alan *(Strat'd-on-A)*
Hunt, David *(Wirral W)*
Irvine, Michael
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Kirkwood, Archy
Knapman, Roger
Knowles, Michael
Knox, David
Lawrence, Ivan
Lightbown, David
Lord, Michael
Mans, Keith
Mitchell, Andrew *(Gedling)*
Neubert, Michael
Page, Richard
Paice, James
Raffan, Keith
Shaw, Sir Giles *(Pudsey)*
Sims, Roger
Stanbrook, Ivor
Steel, Rt Hon David
Stewart, Allan *(Eastwood)*
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Waddington, Rt Hon David
Walden, George
Wallace, James
Warren, Kenneth
Widdecombe, Ann
Wood, Timothy

Tellers for the Noes:
Mr. Kenneth Carlisle and
Mr. David Maclean.

Question accordingly negatived.

Main Question put and agreed to.

Resolved,

That this House takes note of European Community Documents Nos. 4192/88 on the labelling of tobacco products and the Supplementary Explanatory Memorandum submitted by the Department of Health on 7th November 1988 and 4193/88 on tar yields of cigarettes; welcomes continued progress towards removing the remaining barriers to trade between Member States; and, in the interests of public health, endorses the aims of reducing the tar yield of cigarettes and of ensuring that Community consumers are adequately warned of the dangers of smoking.

Titanium Dioxide

11.7 pm

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): I beg to move,

That this House takes note of European Community Documents Nos. 6387/83 and 7733/84 and the Supplementary Explanatory Memoranda submitted by the Department of the Environment on 14th June and 22nd July 1988 on waste from the titanium dioxide industry; and supports the Government's intention to seek to ensure that the provisions of any new directive should take full account both of the need to protect the environment and of the need to ensure that the interests of the United Kingdom's titanium dioxide producers are safeguarded.

I welcome the opportunity to discuss tonight an important proposal for European Community legislation. The proposal is significant both in terms of securing a considerable degree of environmental improvement, albeit localised, in several areas of the European Community, and in terms of its potential impact on an important industry.

The debate concerns the titanium dioxide industry and the industrial pollutants that it produces. It is about the way in which the Government are dealing with the issue in relation both to the directives in place and proposed by the European Commission, and within the context of our own policies for strengthening the environmental protection of our rivers and estuaries.

Titanium dioxide is the main source of pigments used in paints and in a number of other products, such as ceramics. We have just three titanium dioxide factories in the United Kingdom, one of which is modern and gives rise to no significant pollution. That is the Tioxide UK Ltd. plant on Teesside, which uses the chloride process. Of more concern, because they are older, are the Tioxide UK Ltd. plant on Humberside, and the SCM Chemicals Ltd. plant, also on Humberside. I welcome Humberside Members to the debate. They have been active in advancing their constituents' views on this important matter.

There are two main production processes. The older and more polluting process is the sulphate method, which produces large amounts of iron sulphate and sulphuric acid. This is the process which is used by Tioxide on Humberside and one of the two processes used by SCM. The newer, less polluting process—the chloride method—is also used by SCM and by Tioxide at its Teesside factory. It results in the production of waste metal chlorides which can either be discharged to water or dumped on land.

Concern about the polluting impact of the discharges from the industry derives not so much from the nature of the substances—they are not on our "red list" or the Community's list I or list II of dangerous substances, the black or grey lists—as from the sheer volume of waste produced. Indeed, it was originally the impact of the wastes discharged by the Italian industry—notably, the so-called red mud—which led to proprosals for a Community directive for this industry in the 1970s.

The background to the proposal from the Commisssion of the European Communities for a directive on procedures for harmonising the pollution reduction programmes caused by waste from the titanium dioxide industry lies in an earlier directive. The existing directive on waste from the titanium dioxide industry was adopted in 1978. This has as its stated aim the prevention and progressive reduction of pollution caused by waste from the industry. It lays down general rules for the disposal of the different kinds of waste.

Article 9 of that directive requires member states to draw up programmes for the progressive reduction and eventual elimination of pollution caused by waste from existing industrial establishments. The article also provides for the Commission to submit proposals to the Council for the harmonisation of member states' programmes. The proposal for such a harmonisation directive is what we are debating today.

Traditionally, our approach to controlling discharges to the aquatic environment has been through environmental quality objectives and standards, having regard to the ability of receiving waters to accept discharges without detriment to the specified uses for those waters. This approach has served us well. As my right hon. Friend the Secretary of State for the Environment described in the House recently, we have achieved major clean-ups of our estuaries over the past 20 years through this approach, and it is now the Rhine—certainly not the Thames—which is the dirty river of Europe. Indeed, the quality of both our rivers and estuaries compares very favourably with the quality of those in the rest of the European Community. Over 90 per cent. of our rivers are of good or fair quality, which means that they are suitable for drinking water extraction, support at least good coarse fisheries and have some amenity value.

Mr. Allan Roberts (Bootle): The Minister is saying that the way to deal with the pollution is to put the waste out to sea rather than into estuaries. In the light of the recent evidence, do the Government accept that pollution that stems from the chemical industry and paint manufacture is poisoning and killing seals, other aquatic animals and fish? I speak of the evidence that has been produced in the past 24 hours.

Mrs. Bottomley: I knew that it was unwise to give way to the hon. Gentleman. He knows that the virus that is affecting seals is a natural one. He referred to waste from industry, and he knows that pollution can take place in the water, in the air and on the land. If the hon. Gentleman bears with me, he will come to understand that that is the precise justification for the integrated pollution inspectorate, which we established recently. The inspectorate will be able to examine pollution that is caused by any discharge. That is extremely important.

The Humber has benefited from clean-up programmes, especially of the Trent, and further improvements will come about through schemes to tackle some of the badly polluted Yorkshire rivers that feed into the Humber.

How does all this relate to the titanium dioxide industry? It is because through the use of environmental quality objectives that we have been implementing the article 9 reduction programme drawn up with the industry following the 1978 directive. We have laid down environmental quality standards—these set maximum concentration levels for acid and iron—and the companies have invested in new longer outfalls to achieve better dilution and dispersion of the discharges. For example, as a result of the new outfalls, the area of the Humber affected by pollution from acid will be reduced by 90 per cent. This is a considerable achievement.

The Government have long recognised the concern about wastes from the industry in environmental terms.

[Mrs. Bottomley]

That is why, when applications from the two Humberside factories were made to Anglian water authority in 1986 for new discharge consents, my right hon. Friend the Secretary of State called them in for determination. It was the first occasion on which these powers under the Control of Pollution Act 1974 had been used. Subsequently, the applications were considered at public inquiries in October 1987. Although the applications for discharge consent were substantially approved, my right hon. Friend the Secretary of State made it clear in his decision letters earlier this year that he would be looking to review the consents after two years with the view to seeking reductions in the total amount of waste discharged. That will necessarily involve changes to the production processes and the use of less-polluting technology.

That decision has to be seen in the light of the North sea conference declaration last year and the actions agreed by member states substantially to reduce inputs of contaminants reaching the North sea via rivers and estuaries by 1995. Although the main wastes produced by the industry are not persistent or liable to bio-accumulate, they are significantly polluting, and wastes from the industry are specifically indentified in the declaration on the North sea as one of the areas for possible future action.

I should mention two other developments in the environmental context that are now relevant to consideration of the Commission's proposals. First, the Government—as part of a more precautionary approach to the environment—published proposals in the summer for a new unified approach to the control of the most dangerous substances to water, which were identified as the red list.

For industrial processes discharging those substances, we will apply technology-based emissions standards for the first time, incorporating the concept of best available technology not entailing excessive costs, in combination with our more traditional style of strict environmental quality standards. The aim is to minimise the amounts of those substances reaching the aquatic environment and that will require, among other things, investment by industry in better effluent control technology. Industry has generally welcomed those proposals, although we are still considering the detailed responses to our consultation.

Secondly at the same time, we published consultative proposals for a new system of integrated pollution control for major industrial processes— to which I was referring when the hon. Member for Bootle (Mr. Roberts) intervened a moment ago—designed to minimise the overall impact of discharges to land, air and water. That follows the recommendations of the Royal Commission on environmental pollution for wastes to be disposed of according to the concept of best practicable environmental option and the setting up last year of Her Majesty's inspectorate of pollution as a cross-media pollution control agency responsible for the development of a more integrated approach to pollution control. That seeks to minimise so far as is practicable the amount and harmful affects of waste arising from such processes. The titanium dioxide industry, which discharges waste to water, to air and to land is an obvious candidate for just that sort of approach.

We have to consider the Commission's proposals against that background. The proposal for a new directive to harmonise member states' pollution reduction programmes was first put forward by the Commission in 1983. The proposal at that time gave us some difficulty. We considered that the appropriate way to control discharges of waste from the industry was according to the system of environmental quality objectives. Such an approach is consistent with the method of control laid down for list II substances in the dangerous substances directive. This specifies that the emission standards for such substances should be based on quality objectives.

In contrast, the Commission's proposal was based upon the use of Communitywide limit values. Those are essentially uniform emission standards set for all plants irrespective of location and the nature of the receiving waters for their discharge. We have always preferred to control discharges with reference to environmental quality objectives and standards which allow for the ability of receiving waters to assimilate discharges without harm to the aquatic environment. As our factories are located on large fast-flowing estuaries which offer good dilution, we have always believed that they should be allowed to benefit from those locational advantages.

The House of Lords Select Committee on the European Communities shared our concern about the Commission's proposal. The Committee, in its February 1984 report, expressed itself

"greatly concerned that the draft Directive, contrary to the provisions of the parent Directive and other Directives concerned with water pollution, imposes a system of fixed emission standards without any option of a parallel approach of environmental quality objectives".

That advice which strongly reaffirmed existing policy for water pollution control, provided the basis for our further negotiations on the proposed directive. Because of the nature of the substances discharged by the industry, we could see a persuasive case for arguing that only the environmental quality objective approach need be used. Consequently, we were not then prepared to support that proposal.

Our position has changed since 1983. First, I have already described the main developments in pollution control policy as a result of both domestic and international developments. In particular, we now accept the need for a more precautionary approach to the aquatic environment based on the complementary use environmental quality standards and technology-based emission standards for the most dangerous red list substances.

We are actively implementing those parts of the North sea conference declaration calling for substantial reductions in inputs of contaminants via rivers and estuaries. We are actively developing a more integrated approach to pollution control in this country, taking account of the effects of an industrial process on the environment as a whole.

Secondly, there is now wider public acceptance of the need for higher environmental standards, and industry, is responding to that. Consequently, it is right that we should now consider the next stage of the article 9 reduction programmes for the titanium dioxide industry with a view to achieving substantial reductions in the amounts discharged when the new consents are reviewed in 1990. Such reductions will call for specific measures by the companies concerned.

Thirdly, there is little doubt that recent discussion of the proposal has been influenced by the outcome of the important North sea conference hosted by my right hon.

Friend the Secretary of State for the Environment. Equally, the proposal has been strongly supported by a number of other member states, especially Germany and the Netherlands, which are encouraging their industries to invest heavily in cleaner technology. To a large extent, that involves replacing old sulphate capacity with new chloride capacity. I should point out that United Kingdom industry has been doing that over the past decade and currently has most of the installed chloride capacity in the Community.

After a period of some years in which this proposal was given little precedence in discussions of the European Council, negotiations began again in earnest in late 1987. Initially, our participation in the detailed negotiations was constrained by the public inquiries into the proposed discharge consents on Humberside, which were then taking place under the Control of Pollution Act 1974. Until their outcome was known and the Secretary of State had made his decisions public, we had to avoid saying anything which might be prejudicial to those cases.

As a result of a short intensive period of negotiations at the June 1988 Environment Council, the German presidency put forward a package of principles for agreement designed to reflect so far as possible the concerns of all member states, and intended as the basis for future agreement.

The compromise package was made up of the following elements. First was the prohibition of the discharge of strong acid wastes and solid wastes from both processes and treatment wastes from the sulphate process to all waters from 31 December 1989, although where individual member states face particular difficulties the date might be put back to 1 July 1993.

Secondly, the discharge of other wastes to all waters would be regulated either by reference to limit values or by reference to enviromental quality objectives. Thirdly, there would be rules, to be agreed, on discharges to the atmosphere. That package proved to be a helpful way forward. The Commission's proposal was first presented in 1983. The continued failure to adopt a directive had left our titanium dioxide industry uncertain as to future pollution control measures. The industry found it difficult to plan future investment. Adoption of the proposed directive would provide the industry with the certainty and stability it needs to conduct and expand its business.

The measures proposed were stringent but feasible, even though the proposed time limits allowed barely sufficient time for all the necessary work to be completed. The compromise also protected our policy on environmental quality objectives and was consistent with the precautionary approach. There was a clear advantage in exploring it further and at the Environment Council my hon. Friend the Member for Lewisham, East (Mr. Moynihan) agreed, together with the other Ministers, that the compromise should provide the basis for further consideration of the proposal.

In further detailed discussions since then, over the last few months, good progress has been made in a number of areas. Numerical values have been set for the limit values applicable to the weaker wastes. Rather than lay down numerical environmental quality objectives, the working party has chosen to place upon member states using that approach the burden of satisfying the Commission that its approach is being used correctly. Agreement has been reached on the numerical values for the controls on discharges to the atmosphere and for the dates of their applications.

We remain concerned that the Commission has changed the legal base of this proposal from articles 100 and 235 of the treaty to the new article 100A. Although we can understand that the Commission wishes to concentrate on the single market aspects of this proposal and the importance of avoiding distortions of competition, we are unhappy that the Commission should choose to disregard the new environmental article 130S. We believe that it would be an unfortunate precedent for article 100A to be used for what seems to us fundamentally misguided reasons, particularly when so much progress has been made to reach a sensible environmental consensus.

We hope that reason will prevail and that my noble Friend the Earl of Caithness will be able to negotiate a satisfactory resolution of this issue. The alternative would be further damaging uncertainty for the industry. We believe that adoption of the proposal will safeguard the interests of our industry by giving it a secure framework for planning its future operations and will lead to important environmental gains.

11.25 pm

Mr. Allan Roberts (Bootle): The draft directive is welcome, to the extent that it makes improvements, but it does not go far enough. We have heard from the Minister the history of the negotiations—once again a history in which Britain, within the EEC, has been trying to hold up and limit the controls on the grounds that the Government are protecting British interests, environmental controls and industry.

The main aim of the directive is the prevention and progressive reduction of pollution caused by wastes from the titanium dioxide industry. Eventually, we hope, all pollution will be eliminated. Titanium dioxide is a white pigment used in paints and for other purposes. Its manufacture may result in a much larger quantity of waste than product, and this has frequently been dumped at sea or discharged into estuaries. Much of it is still disposed of in that way.

The directive would provide for the dumping of wastes at sea to be banned by 31 December 1989. Discharges of solid wastes, strong acid and treatment wastes from the sulphide process and discharges of solid waste and strong acid wastes from the chloride process into all waters would be banned by 1 December 1989. The Opposition welcome both proposals. In certain circumstances, that date could be put back to 1 July 1993. What are those circumstances? We would guess that the British Government got that written into the directive.

Discharges of weak acid waste and treatment waste from the chloride process to all waters would be substantially reduced by 31 December 1989 by limit values to be fixed, although in certain circumstances that date could also be put back. The emissions into the air would be limited, as the Minister said, and, as an alternative to using the limit values referred to in the two previous examples, discharges might be controlled by reference to environmental quality objectives, to be fixed by the Community. We welcome that. Labour Members do not believe in the gospel according to limit values. We want stricter controls than the Government's reliance on limit values provides. The legal base for the directive is to be decided later. The Government might, to coin a phrase, be

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treading water in the future if industry has not had the necessary expenditure made available to it to control its emissions.

We are concerned that the control of discharges of wastes from the industry in the United Kingdom is, in the view of the Department of the Environment, on the basis that stated environmental quality standards—EQSs, as the Government call them—are complied with in respect of discharges to water. The standards are set on the basis of scientific evidence and the controls on discharges are set so as to protect the receiving environment. We do not think that they are set in a way that protects the receiving environment, as evidence shows. They allow the United Kingdom to use and benefit from the absorptive capacity of our estuaries—the dispersal concept, to which the Government cling, even though dispersal in estuaries and in our seas has been proved to be misguided and to lead to a cumulative build-up of pollutants.

If adopted, the proposal would require, according to the Department of the Environment and the Minister, the banning of the more polluting types of waste from discharges and would require other discharges to be controlled according to Communitywide limit values, which we welcome. However, the Government claim—as, I am sure, will hon. Members who represent constituencies in which the titanium dioxide industry is based—that it will lead to additional costs for the industry. It is claimed that the provisions could add about 10 per cent. to production costs. That would clearly have implications for the profitability of the United Kingdom's titanium dioxide industry, although in general those costs could be absorbed.

I, too, am concerned about jobs in the industry, but if the directive applies to our competitors as well as to the United Kingdom, the expenditure that will be incurred to implement the controls will have to be borne by them as well as by the British industry. It is said that the directive represents a serious threat to employment in the industry, but if we consider what other countries have done to control the discharge of titanium dioxide because of its environmental consequences, we see that the United Kingdom has no excuse for continuing to discharge such powerful pollutants into the rivers or the sea.

The acid waste that is discharged by the titanium dioxide industry has four components: dilute sulphuric acid, differing concentrations of many heavy metals, very high concentrations of iron and residual ore. Those are very powerful pollutants that are being discharged into our rivers and seas. The immediate effect of these pollutants on biological systems results from the acidification of the water. The acid causes direct death of the single-celled organisms called plankton. They are the plants that are important for generating oxygen in the water that is used by other organisms. Plankton also provide the basic foodstuff for other life forms in the water, but the plankton are destroyed.

There are also differing concentrations of many heavy metals that are discharged into the rivers and seas by means of titanium dioxide pollution. They are found in titanium, zinc, chromium, nickel, copper, lead, arsenic, cadmium and mercury. The effects of heavy metals, even in trace concentrations, are wll documented. They have remarkable powers of accumulating into higher organisms through food chains. It is the "Ilkley Moor baht 'at" syndrome:

"Then ducks will come and eat up worms
And then we'll come and eat up ducks."

The fish absorb the nickel, copper, lead, arsenic and mercury, and we eat the fish. Heavy metals have been shown to affect a wide variety of marine organisms, causing fin-rot erosion, disease in fish and shell diseases in crabs and lobsters. They can also affect humans. Minamata disease is poisoning by mercury.

The high concentration of ferrous sulphate in the waste has severe effects on aquatic organisms and may be considered to be the most important damaging factor in acid waste. Cockles and mussels in the Humber, into which a great deal of the titanium dioxide is discharged, have been affected, and human beings cannot eat them. However, birds and fish eat them. The birds are then eaten by other forms of wildlife, and we eat that wildlife. It can be very dangerous.

It has been shown in laboratory experiments that flounders subjected to dilutions of titanium dioxide acid waste collect a brown precipitate, consisting of iron titanium, on their gills. The precipitate in turn affects the fish, altering their conditions to such an extent that they are unable to swim properly. In this way metals can be readily concentrated into living organisms. Flounders caught in the areas where titanium dioxide waste is dumped contain 12 times more lead, eight times more copper, three times more cadmium and twice as much zinc as fish caught in unpolluted waters. The pollution consequences are enormous.

Tests have been carried out recently on dead seals in Liverpool bay, pointing to the illegal dumping of paints or resins, titanium dioxide and other substances. High levels of mercury contamination have been found in the dead seals. The analysis of blubber and liver samples from four grey seals and a pilot whale showed high readings of a form of polychlorinated byphenyls—PCBs—used only in the production of paints and resins. Levels similar to those found in the Dutch Waddenzee could be expected to interfere with reproductive processes.

Those are the findings of tests done this week, yet the Government—the Minister repeated it today—still say that this pollution does not kill the seals. They say that the seals have a natural virus and that pollution has nothing to do with it. That is absolute nonsense. The Government are hiding their head in the sand. If pollution does not cause the virus, it lowers the resistance of seals and other sea animals to the virus. It creates the problem. If the Government had really adopted a precautionary approach, they would be ending the pollution of our seas and estuaries to save the seals. In reality, their policy assists with the seals' deaths.

The Green party would solve the problem by closing the factories. The Conservative party wants, reluctantly, to interfere with the free market, but it allows the pollution to continue when it should not. The Labour party believes that we can have jobs and an industry which is run in an environmentally sound way. We believe that it is not necessary to pollute and destroy our environment to keep industry going.

In 1978, the Council adopted a directive which required member states to take certain actions in respect of wastes produced by the titanium dioxide industry and to establish national reduction programmes for the prevention and

eventual elimination of pollution caused by such waste. The Commission published proposals. Now, 10 years after the first directive, white pigment makers are still split about how to deal with acid and metal waste.

Germany is building acid recycling plants, and the Netherlands is switching to another manufacturing process. The United Kingdom's answer? Lengthening outfalls from the Humber and elsewhere to dump the pollutants into the sea rather than into the estuaries. A recycling plant is now under construction at Duisburg in West Germany. When it comes on stream at the end of this year it will reclaim 99 per cent. of the factory's waste sulphuric acid. Sachtleben's plant will also handle the waste from another German manufacturer—Kronos Titan. The chemical giant Bayer already has an acid recovery facility of a different design, the output of which is used on other processes. The spur of the plants is environmental legislation. Five years ago, West German firms were given a deadline of 1990 to stop dumping in the North sea. Belgium and the Netherlands have enacted similar laws. Once again, the United Kingdom is lagging way behind.

The titanium dioxide industry in the United Kingdom seems intent on exaggerating costs and availability of alternative technology to delay acceptance and implementation of the directive. Such corporate exaggeration, supported to some extent by the Government, is typical of companies, the operations of which take no account of social and environmental costs. They have successfully manufactured a scenario in which there appears to be only one option open to industry on implementation of the directive—cessation of operations. We do not believe that that is the only option.

A wide array of methods for waste treatment is available to the titanium industry. Some merely neutralise the acidic component of the waste; others produce useful by-products. Several techniques that completely recycle the waste are available. They include neutralisation. I shall not go into detail, because we do not have the time, but some companies have neutralised waste to gain profitable by-products which offset the cost of the processes. It is quite possible for the British industry, with the Government's assistance, to deal with the directive in such a way as to benefit the industry. There are jobs in the production of environmentally sound technologies and in recycling much of the waste which is at the moment put into estuaries and seas.

I welcome the directive to the extent that it moves us forward. I welcome some of what the Minister said. We are suspicious that, under pressure from the industry, the Government will not assist by making available the resources that are needed for recycling to prevent dumping and for the removal of longer outfalls—for which they have just given planning permission—which dump the titanium oxide in our seas.

11.39 pm

Mr. Michael Brown (Brigg and Cleethorpes): My hon. Friend the Minister will be pleased to know that I do not seek to divide the House on the draft directive. I welcome the specific wording employed by my hon. Friend and her colleagues. I draw the attention of the House specifically to the words:

"That this House . . . supports the Government's intention to seek to ensure that the provisions of any new directive should take full account both of the need to protect the environment and the need to ensure that the interests of the United Kingdom's titanium dioxide producers are safeguarded."

I am particularly concerned with those interests.

In her opening remarks, my hon. Friend referred to Humberside Members of Parliament. I am privileged to represent one of the country's titanium dioxide factories which is operated by SCM Chemicals, a subsidiary of the Hanson Trust group of companies. That organisation employs 700 people, many of whom are my constituents, although some may be constituents of the hon. Member for Glanford and Scunthorpe (Mr. Morley) or of the hon. Member for Great Grimsby (Mr. Mitchell). Until 1982, that company which was then known as Laporte, employed about 1,600 people. The work force has been halved, yet the yearly output, which was about 85,000 tonnes at the end of the 1970s, is now about 115,000 tonnes. That shows how the industry has been able to cope with the problems of the world recession earlier in the decade, and it is still a massive provider of jobs in my constituency.

The hon. Member for Bootle (Mr. Roberts) has been somewhat unfair. I do not often disagree with him on environmental issues, but on this occasion he is wrong. The industry is aware of pressures from Europe, from the European Commission and from the Government, that require it to recognise that there is a sea change—a political change and a change in public perception. Those in the industry do not want to be bad neighbours and create environmental pollution. However, we are not talking about chickenfeed. The hon. Member for Bootle felt that it would be easy for companies to comply with the directive, but it has been estimated that for SCM Chemicals, the capital expenditure involved would amount to £24 million—depending on the final details of the directive—and that £1·25 million would be spent on additional gas cleaning equipment to reduce air emissions. That is not chickenfeed; that is a major financial outlay that has to be argued for when the company seeks approval for capital expenditure from its senior board.

I was glad to hear my hon. Friend express the Government's concern at the use of article 100A, which allows the proposal to be adopted by majority voting, when previously, under articles 100 and 235, unanimity would be needed. I was also very glad to hear my hon. Friend's assurance that the Government would be pressing hard for that.

The draft directive and tonight's debate are timely because I understand that the draft directive is to be considered by the Council of Ministers on 24 November. I am glad that my hon. Friend put on record a number of proposals which my hon. Friend the Minister of State will be presenting on behalf of the Government at that Council meeting.

I want to put one or two points to the Minister, to which I hope she will respond if she is able to catch your eye, Madam Deputy Speaker. My comments challenge what was said by the hon. Member for Bootle. He said that there would be no unfair competition for this country. He implied that there would be a level playing field and that the directive would apply equally across the Community. I do not think that that is the case. I can give two examples.

One unsatisfactory feature of the directive with regard to the chloride process is that a German chloride process of 80,000-tonne annual capacity, discharging its waste into the Rhine, will be allowed to discharge up to 150 tonnes of

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calcium chloride or sodium chloride into fresh water each day. A proposed 40,000-tonne plant on the Ghent-Terneuzen canal in Belgium will be allowed to discharge 78 tonnes a day into fresh water. That is not fair.

Another unsavoury aspect of the directive is the introduction of the concept of equality of competition. It should not be the responsibility of a directive such as this to introduce equality of competition. I understand that, in the interest of equality of competition, the same limits are imposed on the two United Kingdom plants, both of which discharge a sodium-calcium chloride brine into the marine environment. Such legislation, masquerading as environmental protection, does nothing to encourage the sensible siting of plants so as to have minimum environmental effects. In the German and Belgian cases the plants could have been sited on the coast had they addressed environmental requirements rather than proximity to markets.

Mr. Allan Roberts: Does the hon. Gentleman accept that one of the difficulties faced by British industry is that the Government have not put pressure on the industry in the same way as other Governments, so we are behind in introducing alternative methods of dealing with the waste? In Japan, one of our competitors, the marine disposal of titanium dioxide was forbidden in 1978, and 60 per cent. of the waste is treated with ammonia. The resultant ammonia sulphate is used as a fertiliser. An annual production of 100,000 tonnes is sold. It is the same in Germany and Holland. They have the plants and are producing side-products that can be sold to make a profit for the industry. We could do the same.

Mr. Brown: I do not agree. Many years ago, successive Governments co-operated to ensure that the titanium dioxide industry in Britain was sensibly located. It is an unpleasant process. However, it is a fact of life. We all use white paint and white paper. Everything that is white has titanium dioxide in it. Over the years Britain has been ahead of its rivals. Our rivals have sited their plants near their markets but we have ensured that the plants have been sited sensibly on the coast. That is not to say that we should simply discharge waste into the estuaries.

I do not agree with the hon. Member for Bootle that the Government have done nothing. I spend a lot of time with the senior management of SCM Chemicals in my constituency. I am told of the pressures brought to bear on them by my hon. Friend the Minister and her predecessors. The industry would argue that the Government have been tough and strong in the way in which they have asked the industry to clean up its act. The industry recognises that there is a political dimension and that it has to address public opinion, as do the Government and Europe.

I have reservations about the directive, but I recognise that we are too far down the road to be able to start from scratch. My hon. Friend the Minister said that a public inquiry was under way in 1987, when we might have been negotiating hard on the detail of the directive. The Government were precluded from playing their part in the early stages of those negotiations. They have had to work hard and fast to secure the best interests of the titanium dioxide industry. If there is a lesson for the future, it is essential that, once it is obvious that a European draft directive will involve some control of the industry, the Government should use their expertise in Europe to protect the interests of the environment and of those who work in the industry. We have lost out a little, for the reasons that I have outlined and that I fully understand.

It appears that the final directive will be approved on 24 November. I hope that when my hon. Friend replies to the debate she will be able to assuage my worry about the lack of a level playing field and confirm that the Government will be pressing hard at the meeting of the Council of Ministers next week.

11.50 pm

Mr. Elliot Morley (Glanford and Scunthorpe): I welcome the draft directive. It is a useful step in harmonising European pollution levels.

I represent part of the Humberside area and my constituency abuts the River Humber. There is no point in denying that for a long time there have been considerable problems with industrial waste from many outlets on the estuary. They have had demonstrable effects on the decline of Humber fisheries. At one time, there was a thriving inshore fishery, but it has declined dramatically in recent years.

There is a new fishery on the Humber that abuts my constituency and that of the hon. Member for Brigg and Cleethorpes (Mr. Brown). I should not claim that such a fishery employs as many people as a titanium dioxide factory, but nevertheless it is important to employment in the area. The fishery relies almost exclusively on exports, and the directive will do much to assist it by making it clear that the Government are adamant about them taking steps to clean the estuary.

I do not wish to hold the titanium oxide industry responsible for all the pollution of the River Humber—it is no better or worse than other industries. It is better, however, than the Government's record regarding the amount of raw sewage that is dumped into the estuary.

I know well the arguments that have been advanced about the importance of the titanium oxide industry receiving the same treatment as its European rivals so that it can be competitive and can protect jobs in the area. That is a fair and valid argument, but it underlines one of the strengths of the directive. It would not be fair if one of our industries was at a disadvantage by having to implement stronger pollution controls than its rivals on the continent.

It could be argued that, if there is equal treatment in the Community, the industry may be at a disadvantage with its competitors outside the Community, which may not apply the same rigorous standards. When the Council of Ministers meets, it should discuss a form of environmental tax on products entering the Community from competitors that do not apply the same rigorous standards of pollution control and are therefore an unfair form of competition. That would answer the arguments advanced by some industries in the EEC—that these measures cost jobs and put them at a disadvantage.

Mr. Michael Brown: The problem with the hon. Gentleman's argument is that about 60 per cent. of this country's production of titanium dioxide is exported. The industry has to compete in the world market; it faces competition from Australia, non-EEC and Third-world countries.

Mr. Morley: That is a valid point. The answer is to campaign throughout the developed nations to get them to

apply similar controls, and to use the EEC's considerable influence in world markets to suggest to countries involved in unfair competition that the EEC will not regard them favourably in future dealings. As an advanced industrialised country, we must set an example to other countries which may not share our scruples.

I am concerned, too, about the Government's response to the directive. The explanatory memorandum reads:

"It is better to dispose of most wastes to waters where they are rapidly diluted and dispersed."

I disagree strongly. We do not know the long-term consequences of marine pollution in the North sea. About 20 million cu m of sewage are dumped every day—on top of 15 million cu m of chemical waste.

The Minister referred to the recent seal virus as a natural virus. That is only partly true. Scientific evidence points to a link between pollution and the suppression of the seals' immune system, which reduces their resistance to infection. I am sure that the Minister does not underestimate the public concern about the pollution of the sea that was highlighted by the seal problem. It was well expressed in a petition organised by the children of Rochdale road school in Scunthorpe, who have called for action to help the seals.

The directive goes a long way towards dealing with marine pollution. It would not be fair to single out any one industry. I do not want to make the titanium dioxide industry the scapegoat for all the problems of the North sea. The algae bloom last May, which was triggered off by a high concentration of nitrates and phosphates, and which reduced 100,000 sq km of the seabed to a biologically dead wilderness, showed the scale of the problem.

I deeply regret the Government's weak-kneed qualifications of the directive. I do not want any industry in this country to be disadvantaged: these controls must be applied fairly and vigorously across the EEC to ensure that the seas are safe for future generations.

11.58 pm

Mrs. Virginia Bottomley: With the leave of the House, I wish to answer the debate.

In response to the hon. Member for Bootle (Mr. Roberts), I make it clear that the reason for the possibility of extending the time limit to 1993 from December 1989 is that, if there are cases of major techno-economic difficulty, this is a way of protecting the industries concerned. I am sure that my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) and the hon. Member for Glanford and Scunthorpe (Mr. Morley), who have spoken forcefully for their constituents and local industries, will appreciate that.

I agree with my hon. Friend the Member for Brigg and Cleethorpes that the standards applicable to plants discharging into inland waters should be stricter than those applicable to plants discharging into salt water. We have pressed hard for that in the Council, but have so far received no support from other member states. But I am sure that my noble Friend the Earl of Caithness will make the point again at next week's Environment Council.

I hope that we are all agreed on the need to end the uncertainty and inaction which the protracted negotiations on this proposal have caused. We have the clear prospect of agreement on a measure that would produce significant benefits for the water environment and that would provide industry with a clear and practical basis on which to plan its future investment.

I have listened carefully to hon. Members' comments, and I shall bring them to the attention of my noble Friend before he attends the Council meeting on 25 November.

Question put and agreed to.

Resolved,

That this House takes note of European Community Documents Nos 6387/83 and 7733/84 and the Supplementary Explanatory Memoranda submitted by the Department of the Environment on 14th June and 22nd July 1988 on waste from the titanium dioxide industry; and supports the Government's intention to seek to ensure that the provisions of any new directive should take full account both of the need to protect the environment and of the need to ensure that the interests of the United Kingdom's titanium dioxide producers are safeguarded.

Articulated Vehicles

12.1 am

The Parliamentary Under-Secretary of State for Transport (Mr. Peter Bottomley): I beg to move,

That this House takes note of European Community Document No. 6882/88 on the dimensions of articulated vehicles; and endorses the Government's objective of resisting this proposed directive on the grounds that longer articulated vehicles would present significant environmental disadvantages to the United Kingdom.

The Commission proposes to amend directive 85/3 EEC by increasing the maximum length of articulated vehicles from 15·5 m to 16·5 m. The Government oppose that for significant reasons: it is environmentally more intrusive; it will increase the risk of road accidents; and it will disadvantage British hauliers. The Commission was correct to identify the problem, but its proposed solution is wrong.

I often wish that when we talk about social space, others in the Community would spend more time listening to those who have been run over by articulated lorries, which cut in, destroy cyclists, damage pedestrians and do other things with which we in Britain cope rather better. If the rest of the Community had our road safety record, 40 per cent. fewer people would be injured, whether by long articulated lorries or in other ways. We have much to teach the Community. It might spend some time examining the minibus driving directive, too, because we have more welfare journeys in small minibuses than they have in other European countries.

The directive is not accompanied by a limit on the minimum dimensions of the cab or coupling mechanism, or the maximum dimensions of the semi-trailer. Consequently, some continental operators—mainly French, Belgian and Dutch—have sought to maximise the length of the semi-trailer within the international limit of 15·5 m. They increase loading space at the expense of the coupling mechanism and the driver's cab. They have exploited a loophole in the directive, with the result that the safety and ergonomic conditions of the driver have been reduced.

To maintain articulation of the vehicle, novel and potentially unsafe coupling mechanisms have been introduced. The semi-trailers that have been built are about 13·6 m long—more than 1 m longer than those used in the United Kingdom for domestic transportation. The directive allows for that type of configuration for international transport. The United Kingdom, as well as adopting an overall length of 15·5 m, also restricts the size of the loading space of the semi-trailer to 12·2 m. That allows adequate cab and coupling dimensions within the 15·5 m and the transportation of the popular ISO standard 40 ft container.

The technical developments by continental operators to maximise the semi-trailer length improve the economic use of commercial road vehicles. They allow the transportation of more pallets or, in the extreme, the longer 45 ft container. According to the Commission's proposal, those developments have negative effects on the health, safety and comfort of the driver and the quality of transport. The United Kingdom agrees with those observations.

Let us turn now to the Commission's misplaced solution. It should have plugged the loophole by setting a semi-trailer length dimension on the lines of United Kingdom legislation. Instead, within the 15·5 m envelope, the Commission has chosen to allow the longer semi-trailer to continue in operation. It has attempted to provide for adequate cab and coupling dimensions by increasing the overall length of the combination by 1 m to 16·5 m. The ISO standard No. 1726 for the dimensions forward of the semi-trailer kingpin is given prominence in the proposed directive to ensure that the overall turning circle of the combination is not increased over and above that of the 15·5 m articulated units that predominate at present.

This proposal allowing the extra metre would present extra difficulties in overtaking or being overtaken by these vehicles, not just on motorways, but on every sort of road. On crowded roads it would cause more congestion, and there would be an added safety risk to vulnerable users of the road, such as pedestrians and cyclists, due to the added tendency for the longer semi-trailer to cut in on the pavement when the vehicle turns a corner. I do not want to load all the blame for injuries to pedestrians and cyclists on articulated vehicles, but I remind the House that, in Britain, 60,000 pedestrians and 30,000 cyclists were injured last year. Those are underestimates, because the information is that roughly three times as many cyclists are injured as are reported in our accident figures.

The United Kingdom is opposed to any increase in the length of articulated vehicles because of the effect on traffic movement and the additional risk that it poses for road safety. Another reason for United Kingdom opposition to the proposal is that, as currently drafted, it would have the effect of prejudicing the use in international transport of vehicles built to current British standards. The proposed directive would require all new articulated vehicles entering into circulation after 1 July next year to comply with the technical provisions of the directive. This does not mean that the vehicle would have to be used at 16·5 m, but it means that the tractor and semi-trailer would have to be built to the ISO standard before they could be allowed to run at over 15·5 m on international transport.

The United Kingdom-type tractors and semi-trailers are incompatible with the proposed construction requirements for tractors and semi-trailers. The nose of the United Kingdom trailer is shorter, and less space is allowed for it behind the tractor cab. An ISO trailer has a longer nose and will not fit on a United Kingdom tractor. The semi-trailers built to meet the proposed directive would not be able to be towed by British-type two-axle tractor units because the semi-trailer would foul the back of the cab. This would place United Kingdom operators at a disadvantage against their European counterparts. To meet the turning circle requirements of the directive, a three-axle unit could not be used in conjunction with a two-axle semi-trailer at an overall length of 16·5 m. This is recognised in the proposed directive, which allows only the two-axle tractor unit with the three-axle semi-trailers, or the more expensive three-axle tractors with three-axle semi-trailers to run at 16·5 m.

The Commission's proposal, in favouring the two-axle tractor unit, ignores the fact that heavy loads are better carried by a three-axle tractor than a two-axle tractor. It makes no sense to introduce a regulation that has a bias against the less damaging three-axle tractor unit.

We benefit from the services of the lorry. It plays a vital role in our economy. The haulage industry should be able to function within necessary controls. Much has been done to reduce the unpleasant effects of lorries and to improve safety. The heavy lorries' record on accident reduction

over the past decade is far better than that for cars. There needs to be the right balance between the needs of freight movement and those of other road users. The proposal does not strike that balance. There is a technical solution to the squat cab problem, and the United Kingdom has already adopted it. Those member states that have exploited the loophole in the directive should not be allowed to use this to gain yet longer lorries. The United Kingdom's line is strongly against this type of vehicle combination being increased in length any further. The House should endorse the motion.

12.3 am

Mr. Tony Lloyd (Stretford): Once again, the Minister and I are playing to a packed gallery on this fascinating subject, which has important consequences. The Minister has read his speech well, and I have some sympathy with his argument. There is no doubt that we would face problems if the EC directive were to be adopted.

I shall ask the Minister a straightforward question, and it will not surprise him to learn that I already know the answer to it. Will he confirm that this directive is subject to the qualified majority voting system? I see the Minister nodding to confirm that. Could he also confirm that the Government accepted that that is an acceptable way for things to be done? We now depend on other countries to support the case put forward by the United Kingdom. I hope that the Minister will tell us which EC countries are prepared to reject the directive. It is important that we know from where our support will come. We need a combination of other nations to build the 23 votes that are required to overturn that qualified majority. That can come only from one of the larger Community nations with one of the medium sized ones, or by a combination of small ones.

It is pointless pretending that the House of Commons has a scrutiny role when it is in fact powerless in this respect. The presence tonight of the Government Chief Whip, the right hon. and learned Member for Ribble Valley (Mr. Waddington), is interesting, but I doubt whether he has hundreds of troops rallied outside for fear that the Opposition will seek to press the House to a Division on the issue—*[Interruption.]* The right hon. and learned Gentleman tells me that I might be surprised, but I am never surprised at anything that goes on in this place. I can assure him that I do not intend to press the matter to a Division, because I am not sure what would be the effect if we did not take note of the document. I do not believe that that would advance the case in Europe one jot.

We are now in the hands of people who have an incentive to force the directive on to the freight industry and on to those in this country who depend on that industry. It is a peculiar state of affairs that other nations should have an incentive to adopt a directive to our disadvantage, yet we have to persuade the Council of Ministers to support us, on the basis either of good nature or of horse trading.

One of the legitimate reasons for opposing the directive is that our roads and bridges are not capable of taking the impact that would result from its implementation. The directive would allow gross axle weights to be increased from the present maximum of 10·5 tonnes to 11·5 tonnes. Will the Minister confirm that there are about 11,000 sub-standard bridges in Great Britain and that it will cost about £750 million to strengthen them so that they can take the 40-tonne limit that the Government have chosen to adopt instead of the 38-tonne limit that we presently operate?

The Minister looks a little puzzled about that, but that was the evidence of his Department's officials to the Public Accounts Committee some time ago. Those officials said that it was the Department's policy to raise the standard of those bridges to the 40-tonne limit. I shall be happy to show the Minister his officials' evidence later, if he wishes.

Mr. Peter Bottomley: The bridges are being strengthened, but the hon. Gentleman will realise that the British derogation is based on what we put forward as a 15-year programme. I do not think that we should echo his comments because they might be heard outside the House and people might then misinterpret the Labour party's position on the issue. I hope that we shall have a blocking minority on this draft directive and that we shall retain the Labour party's support against such ideas as the hon. Gentleman was putting forward—which, on reflection, he might regret tomorrow morning.

Mr. Lloyd: I should be a little surprised if the European Commission or the Council of Ministers took greater note of my comments than of those of senior officials of the Department of Transport.

One of the problems with the 15-year programme mentioned by the Minister is that, at present levels of spending, the Government will not achieve the upgrading of those bridges over that period. It is a matter of simple mathematics. The Minister might wish to tell the House that the bridge-strengthening programme is to be greatly increased. That would be in the interests of the travelling public of Britain, but I do not believe that the Minister can say that, because such expenditure was not mentioned in the Government's spending plans earlier this year. In any case, the Government are not able to ratify the directive.

If the directive is adopted and forced through by the majority in the Council of Ministers, against the will of the British Government, what will be the consequences for the exemption that will apply to all freight that was on the roads before 1989, given that the trailers to which the Minister referred measure 13·6 m? Under the cabotage arrangements, they would be free to ply their trade on the roads of this country. That would pose a serious threat to our roads and bridges; and it is important that the public should be aware of that fact.

Yet again, the unsatisfactory way in which we scrutinise European legislation is underlined. The directive is unacceptable and runs counter to the needs of the travelling public in Britain, yet we are in no position to do anything unless we are prepared to go cap in hand to other members of the Community.

I am used to the Minister telling me that I am not a good European every time I say that European legislation is not satisfactory, although I am not sure whether simply resisting European legislation is being a bad European. The Minister tells us that we should be maximising the advantages of the European Community process, so perhaps he will reflect on my question. Earlier, he told us that Europe had a lot to learn from us. If the Council of Ministers forces the directive through against Britain's interests, how shall we have maximised the advantages of the European process, given that we know that the provision will be severely to the disadvantage of the British freight industry, consumer and road user?

[Mr. Lloyd]

For those reasons, I support the motion. There is no ambiguity about that. Nevertheless, I must add that many of the problems that have arisen have been invoked by the Government.

12.17 am

Mr. Kenneth Warren (Hastings and Rye): I agree wholeheartedly with my hon. Friend the Minister in his opposition to the directive. I also understand why the hon. Member for Stretford (Mr. Lloyd) finds it difficult to make his way through the tangle. I understand, too, that Mr. Stanley Clinton Davis, who speaks on behalf of the European Commission on these matters, may shortly be standing as a candidate with a view to joining the hon. Gentleman on the Labour Benches, where he has been before.

The question that really concerns me is how the proposal arose at all. The EEC is after one more metre to solve a problem; but where did the problem come from in the first place? My hon. Friend will know that I have communicated with him over a number of years about the length of vehicles because our own Department of Transport takes no account of that factor when considering traffic loads on roads—for example, in determining whether a by-pass should be built.

The United Kingdom solution should be promoted by the House and there should be all-party agreement on the matter. The explanatory memorandum put forward by the Commission reeks of problems—problems identified in part by my hon. Friend the Minister—concerning the general safety of the promotion of yet one more metre. It is rather like the last straw that breaks the camel's back.

What about the road requirements? No one in the Commission seems to have taken any account of the problems of the roads in Greece and southern Ireland.

One wonders how those in Brussels have got themselves into this tangle, which is recorded inadequately in the explanatory memorandum. Apparently the directive which has already been adopted

"implicates that a number of vehicles which were built according to that motion will be prohibited."

Legally, we are told, it will be difficult to make this correct in retrospect. It is simply not acceptable that we should endorse a mistake, especially as it would mean that some old semi-trailers on the road would be more competitive than new types. That is wholly unacceptable. The Commission has made a mistake, and it cannot expect us, or any other Government in the Community, to make right that which it has got wrong. This is an occasion when the House must unite. There are only a few of us in the Chamber, but I am sure that we speak for all those who would wish to be present.

The documentation includes phrases such as

"proposal for a Council directive . . . Having regard to the proposal from the Commission . . . Having regard to the Opinion of the European Parliament . . . Having regard to the Opinion of the Economic and Social Committee",

but we are not told who is in favour of the proposal. We have bureaucratic propaganda trying to cover up a substantial mistake of the past. Of course we all make mistakes, and I am the first to acknowledge that I am among those who have made many mistakes. I only hope that I have not made too many in the House.

We have before us a proposal that includes a reduction in the space for the driver and a consequent deterioration in the comfort and safety of the driver's working area. Surely all hon. Members would agree that it is vital that the driver should give correct conduct to his vehicle. He must ensure the safety of his vehicle and therefore of all other vehicles on the road.

The proposal illustrates one of the many problems of the Commission, which is that it often separates its legalistic intentions and ambitions from what life is like, for example, on British roads and those of the other countries of the Community. What is the main reason for introducing the measure? The answer is to make right a wrong decision of the past. Safety standards must come first and last, and we should endorse that which the Government propose.

12.21 am

Mr. Bob Cryer (Bradford, South): I find myself in the strange position of endorsing a Government proposition. It is not one in which I often find myself. They are right, however, to resist the proposal. I shall spend a few minutes explaining how the proposal came about.

There was a legislative loophole and the Commission, with its usual flexibility towards some member states, decided to extend all the limits by 1 m. That is extremely unfair, and, as a general harmonisation proposal, it should be resisted. As my hon. Friend the Member for Stretford (Mr. Lloyd) said, majority voting applies and we may find ourselves in a minority that is unable effectively to resist the proposal. The Government are being consistent with the Armitage proposals, which were debated by the House in 1973. Assurances were given by the then Minister that the increase of overall vehicle weight to 38 tonnes, with the accompanying dimensions, would be the limit to which the Government and successive Governments would go. It is unusual to find the Government being consistent and adhering to the assurances that were given when the Armitage proposals were debated.

Unfortunately, we are no longer our own masters. The Commission will be pressing for further harmonisation. As the Minister must know, there is a draft directive in the hands of the Commission that proposes an increase in dimensions and overall gross vehicle weight to 44 tonnes, with derogations for the United Kingdom and Ireland, but with limited time for them to operate. The United Kingdom and Ireland will be required to bring the derogrations to an end in a phasing-in period.

The draft directive, which we support the Government in resisting, is part of a process to harmonise road transport throughout the 12 EEC states. Our roads are already over-burdened. The cost of strengthening bridges and widening roads will be at least £1·5 billion. That will be spread over a number of years, because of the work involved.

In spite of that work, more expenditure would be required on a number of bypasses because many of our towns and villages cannot cope easily with the present size of juggernauts, let alone juggernauts that are 1 m longer. Far from making the driver's job easier, an extra metre will make the already difficult job of driving those vehicles even more difficult and a greater strain. Therefore, the Commission's proposal will not ease the task for drivers in

the United Kingdom: they will make the strain so much greater. That is another reason why we should resist the proposal.

Since the Armitage report was debated in Session 1982-83, the number of new registrations of lorries in the heaviest category—between 33 and 38 tonnes—increased 3,000 in 1983 and 8,400 in 1987. Over that period, there were 30,000 new registrations in the heaviest categories, and almost 800,000 new commercial vehicle registrations between 1983 and 1987. That means that there are nearly 1 million vehicles on our roads in the various categories ranging from 3·5 tonnes to 38 tonnes—the maximum vehicle capacity. Those figures are based on a reply that the Minister gave me on 13 May 1988.

Our roads are becoming choked with commercial and car traffic. To allow large vehicles would not necessarily produce fewer vehicles. The Armitage report stated that, with bigger vehicles, fewer vehicles would carry loads around. More miles would be covered by fewer vehicles. That simply has not happened, as the figures show.

Mr. Roger King (Birmingham, Northfield): Do those figures represent net gains, or do they take account of the amount of scrapping that has occurred over the past few years?

Mr. Cryer: They do not take account of the amount of scrapping since 1983, although there would obviously have been some scrapping. My figures represent the number of new registrations since 1983 and they do not take account of a reduction because of scrapping. On our roads we see a fair range of age of commercial vehicles, which, by and large, seem to have a longer life than motor cars. Therefore, the commercial vehicle population seems to be more stable. No doubt the Minister will provide some background statistics if he has them to hand when he replies.

Mr. Peter Bottomley: I do not have the figures to hand, because I thought that hon. Members on both sides of the House were opposing the draft directive. Also, I would have thought that the hon. Member for Bradford, South (Mr. Cryer), with his usual skill, would have another of my parliamentary replies, which showed that the number of miles travelled had been reduced with the increase to 38 tonnes. We are not particularly concerned about the weight tonight. We are rightly concerned about dimensions. We should try to give a clear message to the Commission and to other member states that it is environmentally wrong, and in safety terms worse, to allow the proposed increases.

Mr. Cryer: I could not disagree with the Minister. However, I stress that the pressure for an extra metre on this type of vehicle is part of a general pattern. There is a move by the Commission to increase the overall weights of vehicles, so we must watch the proposals very carefully.

If we want to keep our roads reasonably free and accessible to other road vehicles and pedestrians, and give people who live along side roads in towns and villages some kind of a half-reasonable life, free from the pollution of road vehicle traffic, we must have some limit on the number and size of vehicles. Therefore, I endorse the Minister's view that we should not allow the vehicle size to be increased.

I have a brief from the Freight Transport Association. Why it should send one to me I have no idea, but it concludes by saying that the FTA

"believes strongly that on questions of vehicle weights and dimensions it is essential for a harmonised regime to apply throughout the EC and would not want to see any exceptions made for the UK on articulated vehicle length."

I hope that there is not a powerful lobby within the Department of Transport wanting to accept a development in legislation that has occurred because of a breach and a warping of legislation.

I hope also that the Minister will resist the pressure that exists. When he says that both sides of the House are prepared to resist, he is right. However, I warn him that there are invidious influences pressing ahead.

Mr. Tony Lloyd: How does my hon. Friend interpret the evidence of Sir Alan Bailey, the Department of Transport's permanent secretary? He told the Public Accounts Committee that it was in the ministerial view most cost-effective to allow for the possibility of upgrading to 40 tonnes in setting the standards for reinforcement. Does my hon. Friend smell a rat on the Government's side?

Mr. Cryer: Yes, and my hon. Friend vividly and graphically illustrates a point of concern.

Many people regard the Minister's Department as the "Department of Road Transport", with railways playing a secondary role. It is true that many people have bought cars, that commercial vehicles provide a service, and that there have been changes over the past quarter of a century. Nevertheless, things are changing again. Nothing stays the same. Because of overcrowded roads, some road journeys are taking the time to complete that they did before motorways were introduced in the 1960s.

Mr. Peter Bottomley: That is rubbish.

Mr. Cryer: The Minister says that I am speaking absolute rubbish. That is not the case. In my own area of Bradford, some journeys take longer at peak times than they did a quarter of a century ago. I can tell the House from my own experience that that is the case. We know from our knowledge of the M25—as another example—that at certain times of the day journeys are taking longer than they did five or 10 years ago.

People are moving off the roads, which is very welcome, and on to the railways. In west Yorkshire, trains generally are crowded, so much so that British Rail is increasing fares to put people off travelling by rail. That is a generally accepted policy.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I remind the hon. Gentleman that we are not having a general debate on transport, but discussing a directive. Perhaps he will return to that subject.

Mr. Cryer: You are right, Madam Deputy Speaker.

I conclude by emphasising that we should resist the proposed extention in commercial vehicle lengths. We want to keep our environment as decent as burgeoning road traffic allows, but in pressing our case against the Commission's proposals we must not forget that we have an excellent railway system. If we are to safeguard our environment, we must seek ways of transferring traffic from the roads to rail. The Minister is nodding, and I hope that he will carry on nodding as I say that that also means keeping the 72 miles of railway from Settle to Carlisle.

12.33 am

Mr. Roger King (Birmingham, Northfield): After that last comment, I shall keep my contribution very brief. I join the consensus by supporting my hon. Friend the Member for Hastings and Rye (Mr. Warren) in resisting the directive, because it constitutes a back-door method of extending lorry lengths.

I cannot understand the EC's thinking. It says that it is necessary to stop the trend towards short cabs, small trailer wheels and strange dimensions within those trailers, so that the negative effects on health, safety, comfort and quality of transport can be reduced—whatever that means.

I cannot speak for European truck manufacturers, many of whose trucks are built in this country under licence as part of partnership arrangements, but looking at the directive's main objective—to improve safety and comfort of lorry cabs—one notes a strange platitude at the end of the explanatory memorandum:

"The dimensions of the cabin are not fixed but incentives for the construction of short cabins are taken away since this would not result in an increase of loading space."

That will not make a difference. One of the most important aspects of lorry construction is vehicle weight. Designers and manufacturers will not put in a bigger cabin simply because there is a larger space, because that would add to the gross vehicle weight. Having acquired the expertise of building fairly small and ergonomically satisfactory cabs, manufacturers will not build bigger ones for the sake of piling sheet metal on to a vehicle. The directive's objective is misplaced. It asks designers to put the clock back and return to a bigger cab, which means more weight on the vehicle and a smaller payload.

The explanatory memorandum refers to

"smaller wheels of trailers in order to gain loading space in height".

What is the problem with small wheels if they will stand up to the punishment of travelling along a motorway at fairly high speed? There seems to be no reason why a large truck with small wheels should not be filled with shredded wheat, which has an enormous volume. This recommendation is a pathetic example of trying unnecessarily to restrict operators' flexibility.

On internal dimensions, the explanatory memorandum refers to

"thin wall equipment for refrigerated vehicles in order to gain loading space in width."

Why not, if the technology exists to use new materials and to put a bigger load on a semi-trailer? Of course, it must not go over the maximum permissible weight. However, what is to stop manufacturers from using space-age materials to provide better facilities? Why must we have legislation to prevent us from developing road transport systems? It is like putting the clock back.

I say, more power to my hon. Friend's elbow. There is nothing in the directive that improves safety or affects health or the comfort and quality of transport. Those aspects are in the designers' hands. Any trip to a commercial motor show, such as the one a few weeks ago, shows that the modern truck is a highly sophisticated piece of equipment, capable of providing comfort and quality of environment for the driver.

If we are to talk about extra lengths for lorries and semi-trailers and about higher gross vehicle weights, let us do so. Let us not ensure, by allowing the legislation to be passed unchallenged, that we get there by the back door, to the disadvantage of our road system.

12.37 am

Mr. Hugo Summerson (Walthamstow): In view of the lateness of the hour relative to the early sitting of the House tomorrow, I shall confine myself to supporting my hon. Friend the Minister in his opposition to this disgraceful directive.

12.38 am

Mr. Peter Bottomley: I thank my hon. Friend the Member for Walthamstow (Mr. Summerson) for his support. I wish that more colleagues on both sides of the House were as clear.

I am grateful to the hon. Members for Stretford (Mr. Lloyd) and for Bradford, South (Mr. Cryer) for their comments. My hon. Friend the Member for Birmingham, Northfield (Mr. King) spoke with the greatest expertise. He said that the Community was not solving the problem that it set out to face. Perhaps we should copy the provision that the hon. Members for Bradford, South and for Bolsover (Mr. Skinner) managed to put into the Health and Safety at Work, etc. Act 1974. In trying to improve safety, we should not do something that makes the position worse.

Clearly we want an ergonomically designed cab for drivers. One reason why road safety for drivers of heavy goods vehicles has improved is that they are more often treated like human beings. They are getting better cabs, but their provision is not always supported. Les Huckfield spoke against the provision of sleeper cabs, but for many drivers that is an advantage.

I emphasise that, in our view, what is being put forward in the draft directive is less safe and more environmentally damaging.

Mr. Tony Lloyd: The Minister is a member of the Transport and General Workers Union and he has always had the interests of the truck drivers at heart, but can he explain the difference between the way in which the European Community wants to tackle the size of cab and the way in which the British Government want to do it? In fact, it is identical. It is done by specifying a maximum trailer length and a maximum usable trailer length. The difference is the maximum possible cab length. If the Minister believes that that is unsatisfactory—that was the clear implication—I shall agree with him. If he introduces legislation that provides guaranteed minimum standards for cab drivers in terms of size of cabs, the Opposition will support it. Is that the way that the Government intend to go?

Mr. Bottomley: Yes. I suspect that other hon. Members will think that that was a planted question. I shall illustrate what I am about to say with my little lorry. We control the length of the semi-trailer. That allows, within the overall length, the cab size to be a proper length. I do not want to play with too many of my toys. I have a collection of them here, but I do not think that I ought to use too many of them. If, however, there are more axles on the prime mover, we reduce the damage to the road and make sure that there is greater safety. There is braking on both the drive axles, rather than on just one.

If the hon. Member for Stretford reads my opening speech, he will find that that is spelt out very clearly. We went further than the directive and made sure that there were no loopholes in the United Kingdom legislation. We wish that the European Community had done the same. It

is an example of perhaps sloppy negotiations leading to the current directive, which allows people to go further than was intended when the directive was approved.

In fact, it is worse than that. I have here *Transport News Digest* of November 1988, which gives a rundown on the month's important road freight news. It is headed "Supersize container plan by shippers" and says:

"Plans are being laid by the shipping lines to introduce an additional supersize container on the international scene—49ft long, 2·6 metres wide and 2·9 metres high. Several American states have agreed to allow land movement of such big containers and the Dutch and West Germans are believed to be sympathetic in principle, although it would mean 17·5 metre long artics to do it . . . The shipping interests are attempting to put a stamp of respectability on their supersize container by calling for its consideration by the International Standards Organisation. But vehement opposition can be expected from many countries' transport ministers: You can carry supersizes by sea or rail if you can, but no way are they going on our roads, might sum up the frequent reaction."

That is certainly my reaction.

The hon. Member for Bradford, South (Mr. Cryer) said that rail should be made as competitive as possible. Leaving aside his 72 miles of special pleading, my aim is to get as much freight on to the railways as is commercially viable. That is one reason why the Channel tunnel will provide great help. That is why we expect a greater proportion of freight to be carried by the railways.

Mr. Tony Lloyd: To London; that is all.

Mr. Bottomley: Beyond London, too, and through the Channel tunnel to the rest of Europe.

The hon. Member for Bradford, South also referred to the Armitage report, page 149, which deals with standard axles and damage numbers. It is important that he should understand the difference between a three-axle tractor and a two-axle tractor. I said earlier that we want to create no bias in favour of a two-axle tractor. If anything, we want a bias in favour of a three-axle tractor, as the third axle reduces road damage dramatically.

Britain is, I think, the only Community country with a taxation regime for heavy goods vehicles which fully covers the track costs. When other countries talk about tolls, as West Germany is apparently doing, and as Belgium did one year ago, they might start wondering whether they should analyse damage numbers and standard axles. They would find that the British approach is the right one.

Mr. Tony Lloyd: It is calculated that the Department of Transport's ineffectiveness at controlling overloading represents at least £50 million in damaged road costs each year which is not recovered in track costs. Although I accept in general what the Minister has said about road maintenance, with bridges, which are the crucial part of the British road system, three-axle tractors do not necessarily alter the situation. It is quite possible to have all three axles on the bridge at the same time, and we must remember that it is the dynamic weight that matters with bridges.

Mr. Bottomley: I am grateful to the hon. Gentleman. I am sure that, if he had not reminded me, I might have forgotten the answers I gave which probably provided the information that he has just fed back to me.

I do not intend to go into the question of majority voting, except to say that Italy, Portugal and Denmark are opposed to this draft directive. That is the good news. The bad news is that they, we and others are unlikely to agree about what would be better because different countries have different interests. We must use the blocking minority, although I do not think that it will come to that if it is seen that significant countries are opposed to the draft directive. We must also try to use the power of persuasion to establish what is right and make it possible.

I must tell my hon. Friend the Member for Southend, East (Mr. Taylor) that if we concentrate too often on which directive we are considering—although that is necessary for some of our debates—we take our eye off establishing what is right and how to make it possible. I believe that we can provide leadership in Europe on covering and reducing track costs and on getting road casualties down. Whether we are approaching the matter from the point of view of road safety, environmental damage or the ergonomics of the cab, which my hon. Friend the Member for Hastings and Rye (Mr. Warren) mentioned—he also made a passing reference to a bypass that he would like built——

Mr. Warren: Two bypasses.

Mr. Bottomley: Two! I should not have spoken again. Each time I speak my hon. Friend wants an extra one.

Hon. Members have reinforced the leadership provided by the Government in saying that the draft directive is counter-productive, that the Commission has identified the problem—the exploitation of a loophole by some countries—but that it has come up with the wrong solution. I ask the House to support the Government's lead. We must see whether we can do better.

Question put and agreed to.

Resolved,

That this House takes note of European Community Document No. 6882/88 on the dimensions of articulated vehicles; and endorses the Government's objective of resisting this proposed directive on the grounds that longer articulated vehicles would present significant environmental disadvantages to the United Kingdom.

The Borders (Rural Development)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dorrell]*

12.47 am

Mr. Archie Kirkwood (Roxburgh and Berwickshire): My right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) and I wish to raise the issue of rural development in the Borders in this, the last Adjournment debate of this parliamentary Session.

The significance of the subject goes beyond the Borders region. I am sure that the Minister knows that the European Parliament meets later this week to decide a new set of criteria for the distribution of European Community structural funds to rural areas throughout the EC. The final policy will be ratified by the Council of Ministers by the end of this year. It is therefore important that the House should know what view Scottish Office Ministers will take on assistance to rural areas.

We all recognise that the Government's guiding economic philosophy is a free rein for market forces. Presumably that also applies to rural economies. The difficulty is that areas almost identical to the Borders, such as the Highlands and Islands, have assistance and support via a combination of private and public bodies and authorities. In such areas, help is not only available; it is proving extremely successful.

The first question for the Government is: why is the Borders region being left out? Our needs may be different from those of inner cities or of peripheral housing estates in the central belt, but they are no less great and are not substantially different from those of areas such as the Highlands and Islands.

A number of very worrying trends are appearing in the economy of the Borders. Local agriculture is beset with uncertainty about the future. As the Minister is aware, the changes in the system of support for beef and sheepmeat, moving away from support for the finished animal to premiums for breeding sheep stock and reared cattle, is causing widespread insecurity among the farming community in the Borders.

It is now being said that in western Berwickshire today one can drive for 30 miles through farms that are for sale. More than 60 farm units have been sold this calendar year in the region. The upland units—those between the hill farms and the lower ground units—are no longer viable. Those farms carry livestock and have no viable alternative sources of income. The uncertainty of the European Community changes in the variable beef premium and the sheepmeat regime is certainly taking a very heavy toll of the industry, which forms the backbone of our rural communities. Some of those communities are now at risk.

Do the Government recognise the problem? If they do, what steps are in hand to compensate the agricultural community for the inevitable reduction in European Community support in future?

In the commercial and industrial sectors, the situation is not much more secure. The combination of interest and exchange rate fluctuations and the imminent prospect of a uniform business rate is causing problems. Everyone in the Borders recognises that manufacturing capacity is far too heavily concentrated in textiles and electronics, and there is an urgent need to diversify employment opportunities, with all the consequences that would flow from that in terms of education and training. If the knitwear industry went into recession, the economy in major centres of population, such as Hawick, would collapse.

What are the Government doing to co-ordinate and assist the work of the various agencies, public and private, that already carry out such work? The Borders region has no urban programme assistance, no "Business in the Community" organisation and no enterprise trusts; it relies exclusively on the work of the local authorities and the Scottish Development Agency.

If it is difficult for manufacturing industry, it is even more difficult for the self-employed and those who run small rural businesses. In addition, the demographic change in the age structure of the population will exacerbate the difficulties. A smaller proportion of the work force will be economically active and there will be greater demand for local health and social service systems for the elderly who live in the more remote parts of the area with little or no public services.

The whole rural infrastructure of the region is under increasing pressure. The regional council is undertaking a survey of local shopping patterns. Small high-street shops and post offices are threatened. Control of Lowland Scottish may leave the area if the bus group privatisation plans amalgamate the company with Eastern Scottish. Local school rolls are falling, and school transportation generally presents difficulty for families in country areas.

Those are all classical examples of a situation which produces depopulation, which is evident in my constituency in areas such as Cranshaws and Craik, Liddesdale, Hutton and Paxton, and which is causing concern locally.

I recognise the work done by the regional council planning department in conjunction with the recently devolved local Scottish Development Agency office. I commend the work that they do. They work well together and the people are of a high calibre. They have made considerable strides in the right direction. They are certainly aware of the problems, but they have limited means and a restricted remit.

What needs to be done can only be done by the Government, acting within the framework of a rural development agency which would be given specific power to operate in rural areas to retain the services and facilities that still exist, to take initiatives to help pump-prime new small businesses and to oversee future major developments. There are dozens of examples to illustrate what could be achieved in the Borders and is being achieved in other areas.

At local level, the post office at Roberton in the Borthwick valley is rumoured to be threatened by a substantial reduction in its hours of opening. A rural development agency could find quick ways to ensure the survival of such a vital service.

At regional level, there is a demonstrable need to maintain and repair timber extraction roads. Previously, European grants were available. Because we no longer have development status, the grants are no longer available. A rural development agency could make specific grants where timber extraction accelerated the need for road repairs.

At national level, there is a need to extend Eyemouth harbour. That would be a considerable asset to the entire Scottish fishing fleet. Pressure already exists in the local coastal communities on the Berwickshire coast, where the way of life is being threatened by diminishing catches and

financial returns. The inshore fleet and the shellfish sector would benefit, as would the storage and processing industries, if the new harbour were to be built. A rural development agency could contribute to making that new harbour a reality.

Other examples in tourism and food processing could be quoted. For example, there is a worthwhile plan doing the rounds in the agricultural community in the Borders region, the object of which is to set up a Borders sheep marketing group. It could lead to the setting up of some meat processing facilities which could have a major and positive impact on the local economy. The list is almost infinite. I could rehearse many ideas and examples from discussions I am having within the Borders region with the various interest groups. Those that I have mentioned should suffice to make the point.

I advocate making the Borders region a rural development area. I know that the Minister has corresponded with the convenor of the Borders regional council and that his hon. Friend the Member for Dumfries (Sir H. Monro) and his regional council have played a notable part in arguing for a rural development fund to be set up in their areas.

If the Government set their face against that and refuse to concede some such status, they will have to say why. They will also have to say why we, in the Borders, are being treated differently from other similar areas in the United Kingdom. There is a strong case for the Borders region to be a potentially eligible area, under objective 5b of the new formula, for European structural funds. If the Government refuse to back the region's claim, they will have to explain why they consistently fail to recognise the need to co-ordinate and fund an integrated plan to rejuvenate rural life in the Borders region and to counter the real threat of rural depopulation.

12.59 am

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): I commend the persistence and initiative of my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) in securing this Adjournment debate, and I am grateful to him for allowing me two or three minutes to underline one of the points that he made and to add two others. I wholly support his plea for the Borders to be granted rural development status. Much more immediately, the Government must give a positive response to the Community's revisions of its structural funds.

The Minister will appreciate that, since the removal of development area status in 1980, we have suffered from the fact that development area status exists in high unemployment areas. It is therefore difficult to compete for the attraction of new industry. Considerable opportunities are offered in the Highlands and Islands by the development board, and excellent work is being done in Northumberland by the Development Commission. We are landed between those opportunities, attempting to compete for economic development with no outside assistance. We are placing high hopes on the new wider definition of objectives and we look to the Scottish Office to push the case for the Borders which has been well prepared by the Borders regional council.

I do not want to dwell on this in my brief intervention, but the closure of the mill at Walkerburn in my constituency showed that it is difficult to get a quick response from the Scottish Development Agency because its powers are severely limited. I shall say no more about that because negotiations for purchase of the mill are at a critical stage.

I wish that we could wring from the Government an undertaking for which we have asked several times—that when the South of Scotland electricity board is privatised there will be the same policy requirement in the south of Scotland as there is in the north for common pricing in rural areas. Without such a guarantee, the cost of electricity supply and repairs in rural areas is likely to be greatly increased. I cannot understand why rural areas in the north of Scotland should be treated more favourably than those in the south. I hope that the Government will eventually give that undertaking.

The Minister will know—he gave me a long written answer on Friday—that I am concerned about the way in which, suddenly, factoring of Scottish special housing in the Borders has been removed from local authorities, without any reason being given, and handed over, in my constituency, to a trust that does not yet exist. It is a most extraordinary procedure. I am pursuing the matter with the Scottish Special Housing Association and do not expect the Minister to reply to it tonight.

Housing is the main function of district councils in the Borders. They do not enjoy the powers of other district councils in Scotland. To continue eroding the powers and authority of local government is a mistake when we are looking forward to the possibility of assisting the growth and development of the Borders economy with the help of local authorities and through the previous co-ordination that we had for the development of new housing where it is needed. I am concerned that the drift to the private sector may rob local authorities of the chance to direct housing as part of economic development in the rural areas in the future.

1.3 am

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I congratulate most warmly the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on obtaining this Adjournment debate. He has raised a number of issues on behalf of his constituents and I shall attempt to respond to all of them. I have made the Secretary of State aware of the points that he made about bus privatisation. Between 1981 and 1987 the population of the Borders increased substantially.

The right hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Steele) mentioned housing. I shall follow up the point that he made about the South of Scotland electricity board and ensure that he receives a letter about it.

There has been no disposal of housing, as the right hon. Gentleman acknowledged. The SSHA has agreed in principle to enter into arrangements with Waverley housing trust only for the management or factoring of its Borders stock. These changes do not require the approval or consent of the Secretary of State. I was, of course, advised of the nature of the arrangement proposed, because of the wider policy implications, and have been assured that the SSHA council of management has satisfied itself that the arrangement will constitute good value for money.

Secondly, final decisions on the financial arrangements have not yet been made and will depend on the total

[Lord James Douglas-Hamilton]

number of houses managed by Waverley housing trust at any time. The cost will, however, have to take into account the very different nature of the arrangement proposed by Waverley housing trust, so that this provides good value for money in relation to the standards of service to be provided for the tenants. I understand that there has been wide dissatisfaction among SSHA tenants in the Borders area about the standard of service provided in the past. I can therefore confirm that we are prepared to respond, through an adjustment to the grant in aid for Scottish Homes, to meet any modest increases in the cost of new management arrangements which might prove more satisfactory.

Thirdly, there is no question of the association being required to consult the tenants on a change in the factoring or management arrangements. The association has statutory responsibilities as landlord towards its tenants. It is for the SSHA, as landlord, to make appropriate management arrangements so that these obligations are fulfilled, and it is not customary to consult tenants on such matters.

In that respect the proposed arrangement between the SSHA and Waverley offers no firm commitment on future purchase of the housing stock. Any such proposals would be a matter for the SSHA or Scottish Homes in the first instance, but would also require the consent of my right hon. and learned Friend the Secretary of State. I can assure the right hon. Gentleman that such consent would be withheld unless the principles set out in the guidelines by the Scottish Development Department on voluntary disposals of stock by local authorities were properly reflected. In particular, my right hon. and learned Friend would be concerned to be assured that the tenants had been fully consulted in accordance with the provisions set out in clause 135 of the Housing Bill, which is likely to become an Act tomorrow.

Finally, I have made it clear that neither the provisions of the Housing Bill nor the separate provisions in the Housing (Scotland) Act 1988 in any way derogate from the current rights of secured tenants of the SSHA or any other public sector landlord. The new legislation will have specific safeguards by ensuring that tenants are fully consulted and have the opportunity of presenting their views.

The hon. Member's speech tended to dwell on what he sees as limits in the region's ability to diversify its economy, rather than on its potential and how best to exploit its natural assets. For example, he referred to the Borders status as a non-assisted area.

As the hon. Gentleman knows, the purpose of the Government's regional policy is to stimulate enterprise and wealth creation and to reduce inequalities in employment opportunities. Regional assistance is therefore directed to areas of greatest relative need as identified on the assisted area map. Assisted area designation is based mainly, but not wholly, on unemployment factors, and it is against such criteria that the Borders do not have assisted area status. The unemployment rates in the Borders, at 6·9 per cent., are well below the Scottish average of 12·8 per cent. and below the current average of 13·8 per cent. for assisted areas with intermediate status. There is therefore no strong case for amending the present designation.

I know that one of the attractions to the region of securing assisted area status is the belief that it would render the area eligible for support from the European Community's regional development fund. The new regulations governing the structural funds are currently the subject of intense negotiations in Brussels and we are negotiating hard to protect our interests. The Borders region has asked for a case to be presented to the European Commission in support of its claim for Community assistance as a rural area under the new regulations. We shall consider these claims, and those of other non-assisted areas, once the new regulations have been finalised. Funds available for such areas will, however, be limited—some estimates suggest 2 per cent. of the structural funds—and concentration on the most needy areas will inevitably be necessary.

As an alternative to assisted area status, it has been suggested that the entire Borders region be designated a rural development area. The hon. Gentleman echoed that argument in making a plea for a rural development agency. The benefits are usually seen as providing access to further financial assistance from the Government or the European Community and ensuring closer co-operation between those public bodies active in encouraging economic development. But we must be extremely clear about what additional benefits we hope to gain before we could be justified in following the rural development area route.

I am sceptical about whether such a designation would have any relevance in Scottish circumstances, even if the entire region could qualify. Unless it was combined with designation as an assisted area, rural development area status would not render the Borders region eligible for any more Government or EC support than it already receives, and, as I have already suggested, there is no compelling case for adjusting the present assisted area map.

As to improving the co-ordination of development effort in the region, I would, in principle, welcome any such improvement, but I must ask why that cannot be done within the existing mechanisms. What is to prevent the local authorities, the Scottish Development Agency and others from building on the existing relationships to improve the service to rural communities in the Borders?

Mr. Kirkwood: They have no money.

Lord James Douglas-Hamilton: The Scottish Development Agency has substantial funds, and I shall give the House some examples of what it is doing. We have often stressed the importance that we attach to the agency playing an active role in rural areas, and I know that that is acceptable to the agency's board.

The recent reorganisation of the SDA on to a regional basis is intended to improve the delivery of its services to its customers. A new expanded Borders office was opened in the summer by the right hon. Member for Tweeddale, Ettrick and Lauderdale. That office provides a one-door approach to all the SDA services: access to the agency's business development activities, investment functions, enterprise initiative schemes, property development and management, improving derelict land and other environmental work. Individual projects include its work at Newcastleton, in the hon. Gentleman's constituency, where it is working with the local community to reverse the

decline in population and improve the local economy by improving the environment and supporting local businesses.

In Berwickshire, the agency is working with the regional council to identify and encourage areas of economic growth. In Galashiels, those partners are looking at ways of improving the physical and business opportunities in the town centre. Throughout the region, the agency, the regional council, the Scottish tourist board and others are studying how to exploit the tourism potential of the area. The agency owns and manages more than 50 properties in the Borders, working with the local authority on specific accommodation problems. An example is the estate at Tweedbank, where all the units have been allocated, with a similar development expected to begin construction in early 1989.

The hon. Gentleman mentioned Eyemouth. The agency maintains a close interest in the proposals for the redevelopment of Eyemouth harbour. I note the hon. Gentleman's strong support for the project. The application for assistance has just been submitted to the Scottish Office for support. It is under active consideration.

The hon. Gentleman also mentioned food processing. I understand that the Borders regional council and the SDA have examined the scope for providing added value to the region's agriculture industry by introducing food processing industries. The study's findings are under consideration by both bodies, but it shows the close co-operation that already exists.

Those are just some examples of how the SDA is working to improve the Borders economy and the close links that it enjoys with the local authorities and others——

Mr. Kirkwood: But it does not have any money.

Lord James Douglas-Hamilton: I am aware that the hon. Gentleman is worried about the funds. I shall draw that point to the attention of the SDA.

The SDA is well placed and well equipped to perform the tasks that it has been given by the Government, enabling it to work with the local community in promoting the Borders economy. It will be happy to give advice and assistance, where appropriate, to small businesses in the region. I hope that the extensive range of support that is available will be of great assistance.

The hon. Gentleman mentioned training. The Training Agency is actively working to increase the level of training throughout the country, and I am sure that it will be interested to learn of any specific problems affecting rural businesses. I suggest that the hon. Gentleman's constituents might like to contact the nearest Training Agency office, whose staff will be happy to solve any problems. Both the SDA and the Training Agency are there to help.

The provision of general infrastructure is largely a matter for the local authorities. The particular needs of rural areas are recognised in the allocations that they receive. In the present year, the Borders region's capital allocations total some £8 million and are projected to rise to £9·3 million by 1990-91. We fully acknowledge the special problems of housing in rural areas. That is why rural authorities already receive a greater share of resources available, compared to the scale of their housing stock, than do others. However, in these areas, more than anywhere else, local circumstances have to be considered and it is for local authorities, housing associations and others to determine how best to meet the needs of their areas.

It is refreshing to see how much the population in the Borders region has grown. In the perids 1971 to 1981 and 1981 to 1987, even in Roxburgh district, where the population fell slightly, the rate of decline was less than for the whole of Scotland. I acknowledge that specific problems remain, but depopulation is no longer a serious problem, except in the remote parts of the area, where there continues to be some difficulty. The Borders region is extremely attractive to tourists, and I hope that tourism will be strongly encouraged. This is one of the most beautiful parts of the world.

The Government are aware of the process of change affecting the Borders region and other rural areas. Our task is not to resist such changes, but to manage them to the benefit of the people who live and work in rural areas. That challenge is being met through agricultural diversification and the resources provided to the Scottish development agency, the local authorities and others to promote the growth and diversification of the rural economy. The mechanisms for support are well placed to help the Borders region develop its economy from the strong base that it currently enjoys. I would encourage local people to make full use of those mechanisms to secure the future of their communities.

Under the rural transport innovation grant scheme, the Secretary of State may authorise grants for the establishment, continuance or improvement of public passenger transport services for the benefit of a local community. Two applications have been received from the Borders region. One of these, the Southdean and Hobkirk community bus, was successful, and received a small capital grant. We are now actively considering with colleagues in the Department of the Environment, who administer similar schemes, how to achieve greater take-up of the resources available. If the hon. Gentleman has any ideas about this, I strongly urge that they be followed up.

The motion having been made after Ten o'clock on Monday evening, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at seventeen minutes past One o'clock.

House of Commons

Tuesday 15 November 1988

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Message to attend the Lords Commissioners: The House went:—and, having returned:

Royal Assent

10.7 am

Mr. Speaker: I have to acquaint the House that the House has been to the House of Peers where a Commission under the Great Seal was read, authorising the Royal Assent to the following Acts:

1. Firearms (Amendment) Act 1988
2. European Communities (Finance) Act 1988
3. School Boards (Scotland) Act 1988
4. Copyright, Designs and Patents Act 1988
5. Health and Medicines Act 1988
6. Housing Act 1988
7. Rate Support Grants Act 1988
8. Road Traffic Act 1988
9. Road Traffic Offenders Act 1988
10. Road Traffic (Consequential Provisions) Act 1988
11. Northampton Act 1988

Prorogation

HER MAJESTY'S MOST GRACIOUS SPEECH

Mr. Speaker: I have further to acquaint the House that the Lord High Chancellor, one of the Lord Commissioners, delivered Her Majesty's Most Gracious Speech to both Houses of Parliament, in pursuance of Her Majesty's Command. For greater accuracy, I have obtained a copy and also directed that the terms of the speech be printed in the Votes and Proceedings. Copies are being made available in the Vote Office.

The Gracious Speech was as follows:

My Lords and Members of the House of Commons,

The Duke of Edinburgh and I were pleased to receive the State Visits of His Majesty King Hassan II of Morocco in July 1987, His Majesty King Olav of Norway in April of this year, His Excellency the President of the Republic of Turkey in July, and the President of the Republic of Senegal and Madame Diouf earlier this month. I was pleased to receive President Reagan of the United States after his visit to Moscow in June.

We recall with pleasure our visit to Canada in October last year, where I was also present on the occasion of the Commonwealth Heads of Government meeting in Vancouver. Earlier this year we visited Australia in her Bicentenary year and the Netherlands to mark the William and Mary Tercentenary. Also to mark the Tercentenary, I received Loyal Addresses from both Houses in July. We remember with much satisfaction our State Visit to Spain in October.

My Government have helped to promote better relations between East and West and have played an active part in the Vienna Review Conference on Security and Cooperation in Europe.

My Government have continued to enhance Britain's defences and have played a full part in the Atlantic Alliance.

My Government have worked vigorously for balanced and verifiable agreements on arms control in respect of nuclear and conventional weapons and for the abolition of chemical weapons. They have supported the treaty between the United States and the Soviet Union for the elimination of their intermediate and shorter range missiles, as a result of which cruise missiles are being removed from the United Kingdom.

My Government have fully supported the United Nations in its recent efforts to negotiate a ceasefire between Iran and Iraq. They have welcomed the start of the Soviet troop withdrawal from Afghanistan and have supported efforts to restore that country's independence and non-aligned status. My Government have encouraged the forces for change in Southern Africa and have urged the countries of that region to settle their problems peacefully.

My Government have reached agreement with our European Community partners on the restructuring of the Community's finances and on certain measures of reform of its common agricultural policy. They have continued to play a full and active role in negotiations to achieve the completion of a single market within the European Community by the end of 1992, and have encouraged business to prepare for the opportunities and challenges that this presents.

My Government welcomed the agreement reached on their initiative to provide debt relief to some of the poorest

[Mr. Speaker]

countries in Africa. They have continued to provide a substantial aid programme, both directly and through the European Community, including emergency assistance to the victims of natural disasters in Asia, Africa and the Caribbean.

My Government have continued their vigorous efforts to combat international terrorism. They have signed agreements with the United States, Canada, Australia and the Bahamas to provide reciprocal assistance in combating trafficking in drugs.

My Government and the Chinese Government have continued to make good progress in implementing the Sino-British Joint Declaration on Hong Kong. My Government have stood by their commitments to the people of the Falkland Islands, while continuing to seek more normal relations with Argentina.

Members of the House of Commons,

I thank you for the provision which you have made for the honour and dignity of the Crown and for the public service.

My Lords and Members of the House of Commons,

My Government have continued to pursue sound financial policies designed to keep inflation under control and to sustain economic growth. They have made a public sector debt repayment. The national output has continued to grow, as has the number of people in work. Further steps have been taken to help unemployed people into work through the introduction of the employment training programme and the extension of the youth training scheme.

As part of my Government's programme to encourage enterprise and improve the performance of the economy, the basic rate of income tax has been further reduced and all but the lowest of the remaining rates have been abolished. Legislation has been enacted to reform and simplify the tax system and to provide for the independent taxation of married couples.

In further pursuit of my Government's commitment to encourage greater industrial efficiency and to promote wider share ownership, legislation has been enacted to provide for the sale to the public of shares in British Steel and to enable the water authorities and the electricity supply industry to prepare for privatisation.

An Act has been passed for England and Wales to replace domestic rates with the community charge and to introduce uniform non-domestic rates.

An Act has been passed to reform the legislation on rented housing and to give local authority tenants new rights to choose their landlord.

Legislation has been enacted to promote further competition in the provision of local authority services.

An Act has been passed to reform the education system by widening parental choice, by making provision for a national curriculum and by increasing the autonomy of educational institutions.

An Act has been passed to provide for greater democracy and accountability within trades unions and to provide further protection against trade union enforcement of closed shops.

Legislation has been passed to improve the working of criminal justice; to reform the law of extradition; and to improve the assistance available to victims of crime.

An Act has been passed to strengthen the controls over the possession of firearms.

Legislation has been enacted to reinforce firm but fair immigration control.

An Act has been passed for England and Wales to introduce greater flexibility in licensing hours and to strengthen provisions to curb the misuse of alcohol.

Further progress has been made in the consolidation of our statute law. Legislation has been passed to improve the arrangements for legal aid.

An Act has been passed to reform the law of copyright and to make improvements in other areas of intellectual property law.

A reformed system of social security has been introduced.

An Act has been passed further to reform the law on shipping and safety at sea.

An Act has been passed to authorise the construction of a railway tunnel under the English channel to link Britain and France.

Legislation has been enacted to authorise a third crossing of the Thames at Dartford.

In Northern Ireland, my Government have continued their efforts to combat terrorism. They have developed their constructive relations with the Repulic of Ireland through the Anglo-Irish Agreement and have continued to promote the economic revival and political stability of Northern Ireland.

For Scotland, measures have been passed to create a new housing agency and to encourage the provision of private rented housing, to improve the management of schools and to reform the law on civil evidence.

An Act has been passed to establish a statutory authority for the Norfolk and Suffolk Broads.

Legislation has been enacted to encourage the planting of farm woodlands and diversification by farmers.

My Lords and Members of the House of Commons,

I pray that the blessing of Almighty God may attend you.

Thereafter a Commission for proroguing the Parliament was read, after which the Lord Chancellor said:

My Lords and Members of the House of Commons,

By virtue of Her Majesty's Commission which has now been read we do, in Her Majesty's name, and in obedience to Her Majesty's Commands, prorogue this Parliament to Tuesday the twenty-second day of this instant November, to be then here holden, and this Parliament is accordingly prorogued to Tuesday the twenty-second day of this instant November.

End of the First Session (opened on 17 June 1987) of the Fiftieth Parliament of the United Kingdom of Great Britain and Northern Ireland, in the Thirty-Sixth Year of the Reign of Her Majesty Queen Elizabeth the Second.

Written Answers to Questions

Monday 7 November 1988

PRIME MINISTER

Channel Tunnel

Mr. Rowe: To ask the Prime Minister what representations she has received from people living in the corridor delineated by British Rail for routes 1 and 2 for the proposed high speed rail link to the Channel tunnel, concerning the levels of compensation payable to people disturbed by the introduction of new high speed railway lines, and the mechanisms for deciding such compensation; and what plans she has for reviewing the relevant legislation.

The Prime Minister: As far as I am aware I have received one representation which raised this issue. I have no reason to believe that the existing levels of compensation provided for in the Land Compensation Acts, and the mechanisms for deciding it, are inadequate.

Australia (Visit)

Mr. Tony Banks: To ask the Prime Minister, pursuant to her answers of 19 October, *Official Report*, column *855*, and 24 October, column *16*, and the answer of the Minister of State for the Armed Forces of 19 October, *Official Report*, column *860*, if she will explain the relationship between the estimated costs figure of £174,000 for her Australian visit and the estimated charge of £195,000 for the RAF VC10.

The Prime Minister: The provisional estimate of the cost of my Australian visit that I gave in my answer of 19 October was based on estimates of the costs of the RAF VC-10 (given by the Minister of State for the Armed Forces in his answer of 19 October) and of communications, accommodation and ancillary costs incurred by the official party. In arriving at the figure of £174,000 allowance was made for the recoveries expected to be made from journalists and others who also travelled on the VC-10.

"Spycatcher"

Mr. Kaufman: To ask the Prime Minister, pursuant to her reply of 2 November to the right hon. Member for Manchester, Gorton, with respect to the book "Spycatcher", how many copies were ordered; in which country they were obtained; which edition or editions were obtained; how much was expended in their purchase and postal or other costs; and whether any measures were taken to prevent royalties from these purchases accruing to Peter Wright.

The Prime Minister: I have nothing to add to the reply that I gave to the right hon. Member on 2 November at column *641*.

10 Downing Street (Furnishing and Decoration)

Mr. Tony Banks: To ask the Prime Minister if, pursuant to the answer of 1 November, she will give an analysis of the figure of £213,318 spent to date in 1988-89 on furnishings and decorations in 10 Downing street.

The Prime Minister: No.

Armed Forces Pay Review Body

Mr. Mans: To ask the Prime Minister if she will make a statement about the chairmanship of the Armed Forces Pay Review Body.

The Prime Minister: Sir Peter Matthews has advised me that he will wish to retire as chairman of the Armed Forces Pay Review Body after it has completed its next report in 1989. I take this opportunity of expressing the Government's gratitude to Sir Peter for his service as chairman of that review body since 1984.

I am glad to be able to announce that Mr. Peter Cazalet has agreed to take over the chairmanship from Sir Peter Matthews from 1 April 1989 for a period of three years.

EDUCATION AND SCIENCE

Autism

Mr. Win Griffiths: To ask the Secretary of State for Education and Science how many children and adults have been recorded as autistic by each local education authority; what special provision is made by them to cater for their special needs; and what contribution is made by his Department and by charitable bodies.

Mr. Butcher: This information is not available. School children in England have not been classified in accordance with categories of handicap since 1983 and further education students have never been so classified. LEAs must make provision for all schoolchildren with special educational needs in accordance with the Education Act 1981. This provision may include placement in one of 14 independent schools in England which are run by the National Autistic Society or local autistic societies. In securing adequate facilities for further education in their areas, LEAs must have regard to the requirements of persons with learning difficulties. A two-year research project into autism, funded jointly by my Department and the Department of Health, began on 1 May 1987.

Universities and Polytechnics

Mr. Dobson: To ask the Secretary of State for Education and Science (1) if he will give the number of academic departments in United Kingdom universities and polytechnics which have been closed since May 1979;

(2) what information is available to his Department from the universities and polytechnics and college funding councils as to the number of academic departments in United Kingdom universities and polytechnics which have closed since May 1979.

Mr. Jackson: This information is not collected centrally.

British Geological Survey

Mr. Latham: To ask the Secretary of State for Education and Science whether he is yet in a position to

announce his decision on the proposal that the British Geological Survey should cease to be under the auspices of the Natural Environment Research Council; and whether he will make a statement.

Mr. Kenneth Baker: Yes. As Sir Clifford Butler's report recognised, the British Geological Survey is an important national resource whose primary function is to meet national surveying needs. It will remain within the responsibilities of my Department and as part of the Natural Environment Research Council. But changes and developments are needed. I accept the concept of a core programme of surveying as recommended by Butler; and, within this, the centrality of the National Geosciences Data Centre. Further work is needed to define that programme, having regard to the priority needs of users both in the private and public sectors; and to examine the survey's future financial and funding arrangements, including such matters as charging for goods and services. Pending completion of this further work, I am making available for the survey, through the NERC, an additional £3 million in 1989-90, with planning additions of £4 million in 1900-91 and £5 million in 1991-92. These planning figures will be subject to review in the normal way through the annual Public Expenditure Survey.

Education Reform

Ms. Ruddock: To ask the Secretary of State for Education and Science if he will issue guidelines to local education authorities on the availability of lists of parents' names and addresses to parents of children in schools considering opted-out or city technology status.

Mrs. Rumbold: The Education Reform Act 1988 requires the governing body of a school to provide a list of the names and addresses of parents of registered pupils at the school, on request, to any such parent seeking the list in connection with a possible application by the school to become grant-maintained. Parents may ask the governing body to exclude their names and addresses from the list they release. The Department has recently issued guidance on this matter for local education authorities and others in Circular 10/88 and in the booklet, "School Governors: How to Become A Grant-Maintained School". Parallel arrangements for city technology colleges would not be appropriate since these are independent schools.

Assisted Places

Mr. Pawsey: To ask the Secretary of State for Education and Science what plans he has to introduce more schools into the assisted places scheme.

Mr. Kenneth Baker: Subject to the satisfactory completion of participation agreements, 52 additional schools will be joining the assisted places scheme from September 1989. The schools concerned are all of the high quality required for participation in the APS. I am confident that they will enhance this successful and popular scheme which is now on course to reach 35,000 places by the mid-1990s.

ATTORNEY-GENERAL

British Rail (Fraud Allegations)

Mr. Mullin: To ask the Attorney-General if there are to be any prosecutions arising from the recent police investigations into allegations of fraud among senior British Rail management in London and Scotland in relation to privatised contracts; and if he will make a statement.

The Attorney-General: In consultation with the Crown Prosecution Service fraud investigation group, officers of the British Transport police are inquiring into certain allegations of crime involving British Rail in England and Wales. The inquiries are at an early stage and no prosecution decision can be taken until they are complete. The prosecution of offences in Scotland is a matter for my Noble and learned Friend the Lord Advocate.

Adoption

Mr. Ray Powell: To ask the Attorney-General if he will introduce legislation to make it unlawful for foster parents who have made application to adopt the child in their care to change the surname of the child before consent to the adoption has been given by the judge.

Mr. Mellor: I have been asked to reply.

We are sympathetic to making changes in this direction.

TRADE AND INDUSTRY

Departmental Statistics (Review)

Mr. Madden: To ask the Chancellor of the Duchy of Lancaster what review is taking place of the collection of statistics undertaken by his Department; with whom officials are consulting in the review; when he expects to make any public statement about the outcome of the review; and what representations he has received.

Mr. Maude: The review of DTI statistics was announced on 22 June 1988 in the Government's response to the Treasury and Civil Service Committee report on the 1988 Budget. (House of Commons Paper 541.) The terms of reference for the review were published in *British Business* on 12 August 1988.

The review is being conducted as an efficiency scrutiny. The scrutiny team is consulting widely, including statisticians responsible for individual surveys, users of DTI statistics and providers of statistics. The team is due to report at the end of December and any public announcement would be made after then. The scrutiny team will continue to consider the views of interested parties. No representations about the scrutiny itself have been made to my Department. However, a number of representations have been received from industry and commerce about the availability of statistics of trade with EC member states after 1992. A framework regulation concerning these statistics is in the final stages of preparation and is expected to go before the Council of Ministers within the next two months; a copy will be deposited in the House.

Beaulieu (Aid Repayment)

Mr. Anthony Coombs: To ask the Chancellor of the Duchy of Lancaster what information he has received from the European Commission regarding the Belgian Government's compliance with the Commission's decision of 27 June 1984 and the European Court of Justice judgment of 9 April 1987, concerning the required repayment of aid of £3·7 million by a subsidiary of Beaulieu, a Belgian carpet manufacturer.

Mr. Maude *[holding answer 1 November 1988]:* I understand the European Commission has now required the Belgian Government to recover the aid from the subsidiary of Beaulieu by the end of next month.

WALES

Job Creation

Sir Raymond Gower: To ask the Secretary of State for Wales what estimate he has made of the number of new jobs to result from new factory projects and extensions to existing factories in Wales already announced during 1988; and if he will make a statement.

Mr. Peter Walker: The factory building programmes for 1988-89 announced earlier this year for the Welsh Development Agency and Mid Wales Development have the potential to accommodate over 4,800 jobs.

Public Bodies (Salaries)

Mr. Murphy: To ask the Secretary of State for Wales what annual salaries are paid to each of the following *(a)* chairman, Land Authority for Wales, *(b)* vice-chairman, Land Authority for Wales, *(c)* chairman, Cardiff Bay development corporation, *(d)* chairman, Housing for Wales and *(e)* members of the Welsh Development Agency.

Mr. Peter Walker: The information is as follows:

Post	*Salary* £
(a) Chairman, Land Authority for Wales	24,008
(b) Deputy chairman, Land Authority for Wales	6,816
(c) Chairman, Cardiff Bay Development Corporation	24,290
(d) Chairman, Housing for Wales[1]	22,135
(e) Members of the Welsh Development Agency	4,825

[1] Subject to parliamentary approval of the proposals for Housing for Wales.

OVERSEAS DEVELOPMENT

Microenterprises

Mr. Boswell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to stimulate the growth of microenterprises in developing countries.

Mr. Chris Patten: We are able to provide support in this area both directly through the bilateral country programme and also through our contributions to selected non-governmental organisations working in developing countries. Recent examples include support for microenterprises in two Indian urban projects, for handicrafts in Zimbabwe and for small industries in St. Helena and Mozambique.

China

Mr. Yeo: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's support for development projects in China.

Mr. Chris Patten: I visited China in September to sign a new agreement on concessional financing arrangements. It will provide support through the aid and trade provision, in the form of both soft loans and mixed credits, for development projects with a total value of £300 million. This follows the £300 million soft loan agreement with China signed in 1986, which is now largely committed.

Kampuchea

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the provision of development assistance to Kampuchea.

Mr. Chris Patten: We have received numerous inquiries from hon. Members, voluntary agencies and members of the public about aid to Cambodia. I set out our policy on this issue in reply to the hon. Member for Monklands, West (Mr. Clarke) on 28 July, at column 697. As I said then, we are contributing £100,000 to the Food and Agriculture Organisation/World Food Programme appeal for Cambodia. Last month I announced an additional allocation of £500,000 to support projects, including humanitarian projects in Cambodia, proposed by British voluntary agencies for assistance under the joint funding scheme.

Hurricane Joan

Ms. Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid the United Kingdom has given to Nicaragua to date in the wake of Hurricane Joan.

Mr. Chris Patten: Including our share of European Community emergency aid, total British disaster relief stands at £346,000.

Ecological Development

Mr. Michael Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will increase the amount of aid spent on projects which restore, protect and improve the ecological basis for development including those which build up the environmental capability of Ministries and personnel in small countries.

Mr. Chris Patten: Allocations to particular projects and sectors within our country programmes are agreed with recipient Governments and this involves weighing up competing priorities. I aim to agree with these Governments more support to the forestry sector and the institutions responsible for it; this will help ecologically in a number of ways, including the protection of watersheds and halting of desertification.

Social and Environmental Aid

Mr. Michael Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will increase the number of staff at the Overseas Development Administration dealing with social and environmental aspects of aid.

Mr. Chris Patten: The number of social development advisers has increased from two to four over the last year and an associate professional has just been appointed.

All project managers have responsibility for the environmental aspects of aid which must be addressed at

the earliest stage of the project cycle. Environmental advice to the Department has recently been strengthened by a formal link with the International Institute for Environment and Development.

Environmentally Sustainable Projects

Mr. Michael Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to call on the European Commission aid organisations to devote more staff and resources to environmentally sustainable projects.

Mr. Chris Patten: At the recent opening of negotiations for a successor to the present Lomé convention the Community made clear the importance it attached to the protection of the environment and reaffirmed its willingness to step up co-operation with its African, Caribbean and Pacific partners in this field.

The Government are concerned that the European Commission, which manages Community aid, should make the best use of its resources to cover environmental concerns; currently the Overseas Development Administration is financing a foresty expert to work with the Commission's own staff.

Nicaragua

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the latest information regarding the damages to the Nicaraguan economy and people by the recent hurricane; and what is the most urgent aid needed by the Nicaraguans, especially the English-speaking Nicaraguans on the Atlantic coast.

Mr. Chris Patten: The latest information we have is that 29,000 houses, 66 bridges, 24 roads and 300 schools were damaged or destroyed. One hundred and sixteen people are reported dead and 278 badly injured.

The most urgent aid required, particularly in the Bluefields area, is for contributions towards the replacement or major repair of housing which has suffered the most severe damage. We have given £60,000 to OXFAM for the supply of zinc sheeting to Bluefields. This would form part of the £250,000 which we have offered to Nicaragua for disaster relief.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Reactor Technology

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions he has given to the United Kingdom representative to the Co-ordinating Committee for Multilateral Export Control in Paris regarding the application by the Federal Republic of Germany that high temperature nuclear reactor technology be given permission to be exported to the Soviet Union.

Mr. Waldegrave: The West German authorities have yet to submit any application to COCOM for such an export of a high temperature nuclear reactor to the USSR. Were they to do so, relevant officials would examine the specifications of the equipment involved in the usual way to assess whether we considered it to be acceptable in security terms. We would then be in a position to issue instructions to the United Kingdom delegate to COCOM.

Boris Chernobilsky

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make urgent representations to the Soviet Government about their decision to withdraw the exit visa granted to Boris Chernobilsky.

Mr. Waldegrave: Mr. Chernobilsky has not yet been granted a visa, but has been asked to provide further documentation to support his application. We are following this case closely and will certainly take it up again if Mr. Chernobilsky is not granted an exit visa.

British Council

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the location of staff, number of offices and expenditure by the British Council in South Africa.

Mr. Eggar: The British Council has the following offices in South Africa.

	Staff	
	London appointed	*Locally engaged*
Johannesburg	3	9
Cape Town	1	3

Estimated expenditure for 1988-89

	£'000
Gross main local budget (including staff costs)	577
Agency funds administered on behalf of others (mainly ODA)	3,224

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the location of staff, number of offices and expenditure by the British Council in the Caribbean.

Mr. Eggar: The British Council has no offices in the Caribbean. In 1988-89 a total of £31,500 has been allocated for academic exchange and arts events. The council also administers £3 million on behalf of others (mainly ODA); manages a World Bank-funded technical assistance programme worth £1·26 million in Barbados and administers a privately-funded fellowship training programme worth £257,000 in Guyana.

Bus Attack, Jericho

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs if, in his assessment of middle east policy, he has made any assessment as to the affiliation of those responsible for the recent fire bombing of a bus near Jericho.

Mr. Waldegrave: No.

AGRICULTURE, FISHERIES AND FOOD

Ewe Premium

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food if he will review the rules relating to the application procedures for ewe premium claims.

Mr. Donald Thompson: The rules governing applications for sheep annual premium are laid down in EC regulations. We keep under review the way in which these rules are implemented in the United Kingdom.

Apples

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what level of import duty or tax is applied to foreign apples coming from outside the EEC; and if he will make a statement.

Mr. MacGregor: The common customs tariff of the Community in respect of third country apples is as follows:

	Per cent. ad valorem
1 August-31 December	14
1 January-31 March	8
1 April-31 July	6

In addition countervailing charges may be levied under the reference price system.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the current wholesale price of apples in London expressed in pence per pound.

Mr. MacGregor: The average wholesale prices of the main varieties of apples currently on sale in London are set out in the table. These figures are an average of the most usual prices recorded at New Covent Garden market for the week ending 2 November 1988.

Country of origin and variety of apple	*Class*	*Pence per pound*
United Kingdom		
Cox's Orange	I	22·7
	II	16·9
Egremont Russet	I	22·5
	II	15·0
Laxton's Superb	II	11·0
Spartan	I	18·8
	II	11·9
Bramley Seedling	I	14·2
	II	10·8
Howgate Wonder	II	7·5
France		
Golden Delicious	I	18·0
Granny Smith	[1]	17·0
Netherlands		
Cox's Orange	[1]	25·0
Elstar	[1]	14·3
Jonagold	[1]	18·1
Belgium		
Cox's Orange	[1]	16·7
Jonagold	[1]	24·4
West Germany		
Cox's Orange	[1]	18·0
United States of America		
Red Delicious	[1]	35·2

[1] Prices not collected by class.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the current policy of the EEC on the growing and marketing of apples.

Mr. MacGregor: The EC policy on the growing and marketing of apples forms part of its general policy on fruit and vegetables, and is set out as follows in Council regulation (EC) 1035/72:

"the achievement of a balance between supply and demand at fair prices to the producer, account being taken of trade with third countries, while encouraging specialisation within the Community".

These aims are implemented through a system of quality standards designed to improve the product, to guide production to meet consumers' requirements and to facilitate trade, and through measures to facilitate the formation of producer groups, as well as through a limited system of price support, export refunds, and import charges.

HOME DEPARTMENT

Marriage Bureaux (Developing Countries)

Mr. Cummings: To ask the Secretary of State for the Home Department (1) what measures his Department is proposing to take to protect Filipino women resident in the United Kingdom as a result of arranged marriages through commercial marriage bureaux who are subsequently deserted by their British husbands;

(2) what steps his Department is taking to monitor and regulate the activities of British-based marriage bureaux who are operating in the Philippines and other developing countries; and if he will make a statement.

Mr. Renton: Relevant provisions are already in place under the immigration rules. As a result of the Immigration Act 1988, the rules have since August provided that neither a husband nor a wife may be admitted to the United Kingdom as the spouse of any person (including British citizens) settled here unless the entry clearance officer is satisfied that the marriage was not entered into primarily to obtain admission to this country and that the couple intend to live together permanently as husband and wife.

Persons admitted as spouses are given leave to remain for 12 months in the first instance. At the end of that period, a spouse may be given indefinite leave to remain provided that the marriage has not been terminated and the intention of the parties remains to live together permanently as husband and wife. If the marriage is not subsisting at the end of that period, an application for further leave to remain may be refused. Each case is, however, considered on its merits.

The Government have no present plans either to change the rules in this respect or for legislation in respect of marriage bureaux.

Women's Issues

Ms. Richardson: To ask the Secretary of State for the Home Department (1) when the ministerial group on women's issues will next be meeting; whether the group will be meeting at regular intervals; and whether scrutiny, for direct or indirect sex discrimination in past and present legislation will be a future agenda item for the group;

(2) whether the ministerial group on women's issues consulted with the Equal Opportunities Commission, appropriate trade unions, or other equal opportunities expert opinion from the United Kingdom and the European Community before drawing up the proofing

system and checklist which will be used to identify direct or indirect discrimination against women in future Government legislation; and whether he will publish the proofing checklist;

(3) how the operation of the proofing system, recommended by the ministerial group on women's issues, will be monitored and reviewed;

(4) how may training hours and days have been allocated for the staff awareness seminars recommended by the ministerial group on women's issues.

Mr. John Patten: The ministerial group on women's issues will next meet in February 1989. The function of the group is to co-ordinate policy issues of special concern to women, including the practical effect of legislation. At its meetings on 24 October, the group endorsed model guidance on "equal opportunity proofing" and a checklist for staff of Government Departments. These were prepared after discussion with the Equal Opportunities Commission. A copy of the model guidance and the checklist has been placed in the Library.

The ministerial group will keep its operation under review to see whether any changes are required in the light of experience. In addition, the Civil Service college is running a one-day pilot seminar on equal opportunity proofing in the new year and it will be repeated on future occasions to meet departmental needs. The ministerial group is also asking departmental trainers to liaise with the college in order to incorporate appropriate guidance in their own training courses.

British Rail (Fraud Investigation)

Mr. Mullin: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to the progress of police inquiries into allegations of fraud by senior managers involving contracts put out to private tender by British Rail; and if he will list the contracts involved.

Mr. Douglas Hogg: No. I understand that inquiries are being carried out by the British Transport police, for whom my right hon. Friend has no responsibility.

Prison Population

Mr. Bermingham: To ask the Secretary of State for the Home Department (1) what was *(a)* the sentenced and *(b)* the remand population for all prisons in England and Wales and for the latest date available;

(2) how many females are currently being held in prison establishments under sentence in England and Wales.

Mr. Douglas Hogg: The information is given in the following table. On the same date, 1,742 males and 50 females, most of whom were likely to be remand prisoners, were held in police cells.

Population of Prison Service establishments in England and Wales on 30 September 1988: by type of prisoner and sex

Type of prisoner	*Males*	*Females*	*Persons*
Remand	9,431	438	9,869
Sentenced	36,666	1,239	37,905
Non-criminal	216	15	231
Total	46,313	1,692	48,005

Mr. Bermingham: To ask the Secretary of State for the Home Department what was the certified normal accommodation and actual population for each local prison in England and Wales, for the latest date available.

Mr. Douglas Hogg: On Friday 4 November the certified normal accommodation (CNA) and population of each local prison in England and Wales was as follows:

Local prison	*Certified normal accommodation*	*Population*
Bedford	178	339
Birmingham	592	1,094
Bristol	554	621
Brixton	729	1,085
Camp Hill[1]	12	3
Canterbury	230	343
Cardiff	253	399
Chelmsford	242	385
Dorchester	132	154
Durham	675	1,060
Exeter	254	336
Gloucester	193	269
Holloway	517	470
Hull	284	472
Leeds	642	1,252
Leicester	204	389
Lewes	229	432
Lincoln	391	698
Liverpool	970	1,419
Manchester	970	1,585
New Hall	95	78
Norwich	225	274
Oxford	127	219
Pentonville	624	818
Preston[1]	152	164
Reading	178	285
Risley	406	601
Shrewsbury	174	305
Swansea	174	236
Wandsworth	1,254	1,444
Winchester	420	554
Wormwood Scrubs	828	776

[1] Local prison accommodation in training prisons.

Prisoners (Police Cells)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many prisoners were held in police cells on each Friday during September and October in England and Wales.

Mr. Douglas Hogg: The number of prisoners held in police cells in England and Wales on the dates specified by the hon. Member were as follows:

	Number
2 September 1988	1,474
9 September 1988	1,575
16 September 1988	1,620
23 September 1988	1,634
30 September 1988	1,792
7 October 1988	1,752
14 October 1988	1,774
21 October 1988	1,811
28 October 1988	1,486

Mr. Bermingham: To ask the Secretary of State for the Home Department how many prisoners who were remanded in police cells were sentenced by the courts without a social inquiry report since 1 January.

Mr. Douglas Hogg: This information is not available.

Prisoners (Suicides)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many suicides occurred in prisons in England and Wales in *(a)* the remand population and *(b)* the sentenced population during 1988.

Mr. Douglas Hogg: Verdicts of suicide have been returned on 17 inmates who died in Prison Department establishments in England and Wales during 1988. Of these inmates, 11 were on remand and six had been sentenced. Inquests have yet to be held on 14 other inmates (of whom seven were on remand and seven were sentenced) who died in Prison Department custody during this period and whose deaths are thought to have been suicide.

Mr. Bermingham: To ask the Secretary of State for the Home Department how many attempted suicides occurred in prisons in England and Wales in *(a)* the remand population and *(b)* the sentenced population during 1988.

Mr. Douglas Hogg: We have received reports of 424 apparent suicide attempts made by inmates in Prison Department custody in England and Wales during 1988. Information on whether these inmates were on remand or sentenced is not held centrally.

Women Prisoners

Mr. Bermingham: To ask the Secretary of State for the Home Department how many women are currently being held under sentence in Durham prison.

Mr. Douglas Hogg: On Wednesday 2 November 1988 there were 35 women held under sentence in Durham prison.

Mr. Bermingham: To ask the Secretary of State for the Home Department whether he has any plans to transfer women prisoners held in Durham to all-female establishments.

Mr. Douglas Hogg: There are no plans at present to transfer women prisoners held in Durham to all-female establishments.

Mr. Bermingham: To ask the Secretary of State for the Home Department how many women with their children are currently being held under sentence in prisons in England and Wales.

Mr. Douglas Hogg: On 4 November 1988 there were 27 adult women and six young offenders under sentence being held with their children in prison mother and baby units.

Mr. McNamara: To ask the Secretary of State for the Home Department what arrangements are made to safeguard the mental and physical health of category A female prisoners held on remand in solitary confinement.

Mr. Douglas Hogg *[holding answer 4 November 1988]:* No prisoner is held in solitary confinement.

The care of the mental and physical health of category A female inmates, as of all other inmates in prison custody, is the responsibility of the medical staff supported by all the resources available to the prison medical services.

The conditions in which it is necessary to hold category A female prisoners provide a regime which is as varied and constructive as the needs of security allow, and include opportunities for exercise, recreation and association with others.

Police, Prison and Probation Services

Mr. Bermingham: To ask the Secretary of State for the Home Department whether he has any plans to expand *(a)* the police service, *(b)* the probation service and *(c)* the prison service during the financial year 1988-89; and if he will make a statement.

Mr. Douglas Hurd: Estimated spending in 1988-89 is £3,800 million for the police, a £310 million increase on 1987-88, and £250 million for the probation service, a £30 million increase on 1987-88. The published estimate for the prison service is £802 million, a £27 million increase over estimated outturn for 1987-88. There is likely to be additional expenditure in the prison service arising from measures to relieve prison overcrowding; and necessary financial provision will be sought through spring Supplementary Estimates.

Prisoners (Sentences)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many persons were sentenced to a period of imprisonment in England and Wales during *(a)* 1986 and *(b)* 1987.

Mr. John Patten: The information requested can be found in Table 7.1 of "Criminal statistics, England and Wales, 1987" (Cm. 498), copies of which are in the Library.

Mr. Bermingham: To ask the Secretary of State for the Home Department what percentage of persons sentenced to a period of imprisonment in England and Wales in 1986-87 served less than six months.

Mr. Douglas Hogg: Following the increase in August 1987 to one half in remission for persons serving sentences of 12 months or less, all persons received with sentences of under 12 months who qualified for full remission would serve under 6 months in custody. In 1986, the latest readily available data, about 60 per cent. of the 67,000 persons received under an immediate custodial sentence had a sentence of under twelve months, and virtually all the 19,000 received in default of payment of a fine. Information about the time served in custody under sentence is published annually in "Prison Statistics England and Wales" (tables 4.11, 5.11 of the latest issue, for 1986 Cm. 210).

Prisoners (Statistics)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many prisoners whose country of origin was either *(a)* the Republic of Ireland or *(b)* Northern Ireland are currently being held under sentence in gaols in England and Wales.

Mr. Douglas Hogg: Citizens of Northern Ireland are not separately identified from other citizens of the United Kingdom. However, on 30 September 1988 about 300 sentenced prisoners in prison service establishments in England and Wales who were citizens of the United Kingdom or whose citizenship was unknown were known to have been born in Northern Ireland.

The recording of nationality on the records held centrally for citizens of the Republic of Ireland is not completely reliable because it depends upon the

information provided by the prisoner. On 30 September abut 430 sentenced prisoners in establishments in England and Wales were recorded as citizens of or born in the Republic of Ireland.

Prisoners (Transfers)

Mr. Bermingham: To ask the Secretary of State for the Home Department (1) how many requests for transfers to gaols in Northern Ireland or the Republic of Ireland have been received from prisoners, currently serving their sentences in England or Wales, in the current year;

(2) how many prisoners have been transferred from a gaol in England and Wales to a gaol in Northern Ireland or the Republic of Ireland during 1988.

Mr. Douglas Hogg: Since the beginning of the year there have been 48 requests for permanent transfer to establishments in Northern Ireland and 15 for temporary transfer. There have also been 10 requests for permanent transfer to the Republic of Ireland.

During the same period six inmates have been accepted for permanent transfer from England and Wales to Northern Ireland and five for temporary transfer. Not all these transfers have yet taken place. Transfers of prisoners to and from the Republic of Ireland will not be possible until the Republic ratifies the European convention on the transfer of sentenced persons.

Prison Educational Classes

Mr. Bermingham: To ask the Secretary of State for the Home Department whether any prison educational classes have been cancelled or curtailed in local or dispersal prisons during 1988.

Mr. Douglas Hogg: The unavoidable absence of teachers and the operational requirement of establishments have caused some curtailment or cancellation of classes in these establishments during the past year.

Custodial Remands (Statistics)

Mr. Bermingham: To ask the Secretary of State for the Home Department what percentage of persons who were originally remanded in custody, were eventually given a non-custodial sentence, or were acquitted or not proceeded with during 1986 and 1987.

Mr. John Patten: The information is given in the following table.

Persons remanded into Prison Service establishments in England and Wales in 1986 and 1987 who were not given a custodial sentence: by result of court proceedings.

Percentage

	Year of initial remand in custody	
	1986	[2]*1987*
Not guilty or not proceeded against	5	4
Given a non-custodial sentence or freed on rising[1]	30	27
Ultimate disposal not recorded	13	21

[1] Persons freed on rising are those who were sentenced to immediate custody of such length that it had already been served on remand.

[2] Provisional figures.

Prisoners (Ethnic Composition)

Mr. Bermingham: To ask the Secretary of State for the Home Department, for the latest date available, what was the ethnic composition of *(a)* male and *(b)* female prisoners held under sentence or remand in prisons in England and Wales.

Mr. Douglas Hogg: The readily available information is given in the following table. The information is published annually in "Prison Statistics, England and Wales", table 1.11 of the 1986 issue, Cm. 210, copies of which are in the Library.

Population[1] of prison department establishments in England and Wales on 30 June 1987 by type of prisoner, sex and ethnic origin

Type of prisoner and sex	*Ethnic origin*					*Total number of persons in prison department establishments*
	White	*West Indian/ Guyanese/ African*	*Indian/ Pakistani/ Bangledeshi*	*Chinese/ Arab/ Mixed origin*	*Other, not recorded[2] (inc. refusals)*	
Males						
Untried	6,960	965	225	200	489	8,839
Convicted unsentenced	1,215	134	17	25	73	1,464
Sentenced	32,457	3,284	1,038	696	441	37,916
Non-criminal	123	66	36	16	47	288
All prisoners	40,755	4,449	1,316	937	1,050	48,507
Females						
Untried	195	57	4	13	31	300
Convicted unsentenced	50	8	1	3	4	66
Sentenced	1,036	239	34	43	35	1,387
Non-criminal	5	—	—	—	—	5
All prisoners	1,286	304	39	59	70	1,758

[1] The figures are those recorded centrally and are approximate.

Prisoners (Mental Illness)

Mr. Bermingham: To ask the Secretary of State for the Home Department, for the latest date available, what was the number of prisoners held under sentence who were suffering from a recognised mental illness or personality disorder in gaols in England and Wales.

Mr. Douglas Hogg: On 31 March 1988, the most recent date for which figures are available, 235 inmates of Prison

Department establishments in England and Wales were, in the opinion of medical officers, suffering from mental disorder of a nature or degree which would satisfy the criteria in the Mental Health Act 1983 for detention in hospital for medical treatment. This compared with 345 inmates so reported on 30 September 1987.

A total of 156 of the 345 recorded by prison medical officers on 30 September 1987, and 119 of the 235 recorded on 31 March 1988, were under sentence.

Young Persons (Custody)

Mr. Bermingham: To ask the Secretary of State for the Home Department whether he has any plans to abolish the use of custody for 14 to 17-year-olds in England and Wales.

Mr. John Patten: No.

Mr. Bermingham: To ask the Secretary of State for the Home Department whether he has any plans to extend to adult offenders the criteria which must be satisfied before a court may pass a custodial sentence on a person under 21 years of age in England and Wales.

Mr. John Patten: No; but the Green Paper, "Punishment, Custody and the Community" (Cm. 424) published in July, invites comments on the future use of custody and the desirability of defining in legislation the circumstances in which the proposed supervision and restriction order might be used.

Sentences (Ethnic Monitoring)

Mr. Bermingham: To ask the Secretary of State for the Home Department whether he has any plans ethnically to monitor sentencing decisions in magistrates' courts and Crown courts in England and Wales.

Mr. John Patten: Because of differences in the gravity of offences and the circumstances of offenders, it is difficult to do this routinely. Research studies provide some information, such as a study of Crown court sentencing which we hope to publish in due course.

Correspondence

Sir Geoffrey Finsburg: To ask the Secretary of State for the Home Department when he will give a definitive answer to the letter from the hon. Member for Hampstead and Highgate dated 18 August and acknowledged under reference 21401/88 on 23 August.

Mr. Renton: I regret that due to an oversight in my private office my reply to the hon. Member was delayed. I have now written to him.

Unlicensed Vehicles

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will make a statement regarding the recent action taken by the Metropolitan police to reduce the number of unlicensed vehicles on London streets.

Mr. Douglas Hogg: The Metropolitan police enforce the law in respect of unlicensed vehicles throughout the year and from time to time mount special campaigns to detect such offences. I understand from the Commissioner that the most recent of these campaigns took place in May.

ENERGY

CEGB (Area Workshops)

14. **Mr. O'Brien:** To ask the Secretary of State for Energy when he last met the chairman of the Central Electricity Generating Board; if he discussed the proposed closure of the area workshops; and if he will make a statement.

Mr. Michael Spicer: My right hon. Friend and I meet frequently with the chairman of the CEGB to discuss a range of subjects.

Gas Prices

15. **Mr. Knapman:** To ask the Secretary of State for Energy by how much gas prices have increased in real terms in each of the last five years.

Mr. Peter Morrison: Gas prices to the domestic sector have not increased in real terms in any of the last five years; they have fallen at an average rate of 3·1 per cent. per year.

Gas prices to the industrial sector have increased in real terms in only one of the last five years; over the five year period as a whole they have fallen at an average rate of 6·9 per cent. per year.

Electricity Industry

16. **Mr. Andrew Smith:** To ask the Secretary of State for Energy what proportion of each distribution company's purchases of power he will require to be supplied from non-fossil fuel sources after privatisation.

Mr. Parkinson: I refer the hon. Member to the answer I gave to the hon. Member for Cardiff, West (Mr. Morgan) on 11 May 1988 at column *112*.

38. **Mr. Dykes:** To ask the Secretary of State for Energy when he now expects to announce the details of the Government's proposals to privatise the electricity supply industry.

Mr. Parkinson: The Government intend to introduce legislation at the earliest opportunity.

45. **Mr. Prescott:** To ask the Secretary of State for Energy when he next intends to meet the chairman of the Central Electricity Generating Board to discuss the privatisation of the electricity supply industry.

Mr. Parkinson: I refer the hon. Member to the answer I gave earlier today to my hon. Friend, the Member for Barrow and Furness (Mr. Franks).

Energy Requirements (Elderly People)

17. **Mr. Simon Hughes:** To ask the Secretary of State for Energy if he will make a statement on his Department's plans to ensure the energy requirements of elderly people are met over the coming winter.

Mr. Peter Morrison: The Government recognise the particular needs of the elderly. This winter my Department will join again in the Government's "Keep Warm Keep Well" campaign. We recognise the importance of the fuel industries' code of practice which protects those in genuine difficulty with their fuel bills.

EC (Energy Policy)

18. **Mr. Knox:** To ask the Secretary of State for Energy if he will make a statement on progress towards the development of a European Community energy policy; and if he will make a statement.

Mr. Peter Morrison: As I have informed the House, the Energy Council of 9 June was unable to agree conclusions on the Commission's review of Member states' energy policies with regard to the Community's 1995 energy objectives. The review will be reconsidered at the Energy Council tomorrow.

Sizewell B

19. **Mr. Bowis:** To ask the Secretary of State for Energy what estimate he has made of the economic benefit of the construction and operation of Sizewell B for the local community.

Mr. Michael Spicer: This issue was fully covered in the report of the Sizewell B public inquiry, a copy of which is available in the Library of the House.

27. **Mr. Alexander:** To ask the Secretary of State for Energy if he will list the British companies involved on the construction and future operation of Sizewell B, and the total number of personnel employed on the project.

Mr. Michael Spicer: The construction and operation of the Sizewell B PWR is a matter for the CEGB, however, I am advised by the board that a total of 57 contracts have been let to British companies. I am asking the chairman of the CEGB to let my hon. Friend have the names of these companies.

The total number of permanent CEGB staff working on the project, in the project management board, is currently 850, with another 1,200 in the design consultants. I understand that there are also over 1,000 contractor's staff on site. The CEGB estimates that the numbers employed on work associated with Sizewell, together with the jobs actually generated on site, will average out at roughly 10,000 jobs per year being created over the seven-year construction period.

Coal Production

20. **Mr. David Shaw:** To ask the Secretary of State for Energy if he will list the productivity figures for British Coal for each of the last three years; and if he will express the figures as a percentage increase-decrease on the previous year's figures.

Mr. Michael Spicer: Productivity increased by 21 per cent. in 1986-87 and by 10 per cent. in 1987-88. The productivity figures are as follows:

	Output per manshift *tonnes*	*Percentage increase over previous year*[1]
1985-86	2·72	
1986-87	3·29	+21
1987-88	3·62	+10
1988-89 to date	4·07	+15

[1] Provisional data, year to date compared with similar period last year.

High Technology Research

21. **Dr. Michael Clark:** To ask the Secretary of State for Energy what plans he has for maintaining high technology energy related research after privatisation of the electricity industry.

Mr. Parkinson: I keep electricity research under continuous review.

Home Insulation

23. **Mr. Pike:** To ask the Secretary of State for Energy if he will make it his policy to incorporate demand-side management incentives in his electricity privatisation proposals designed to encourage the wider insulation of homes.

Mr. Peter Morrison: No. In most circumstances the best way of promoting energy efficiency is to ensure that individual consumers are free to make informed decisions on whether to invest in conservation or supply in the light of their individual needs.

Electricity Generation

24. **Mr. Flynn:** To ask the Secretary of State for Energy if he will instigate an inquiry into the comparative costs of electricity generated from coal as against nuclear fuel in Britain in the past, currently, and in the future.

Mr. Michael Spicer: No. I understand that the CEGB has agree to provide information on economic comparisons to the Hinkley inquiry.

Grimethorpe Fluidised Bed Project

25. **Mr. Illsley:** To ask the Secretary of State for Energy whether he will make a statement on the implications for his Department's research and development funding of the impending closure of the Grimethorpe fluidised bed project.

22. **Mr. Speller:** To ask the Secretary of State for Energy if he will institute an energy audit and energy conservation scheme for households based upon low interest loans administered by building society, bank, local authority, housing trust or other responsible organisations with repayment phased over the investment's pay-back period.

Mr. Peter Morrison: The provision of low- interest loans by financial and other institutions is a matter for their commercial judgment. The Government already operate schemes for improving the energy efficiency of housing by way of the homes insulation scheme and community insulation projects.

46. **Mr. Barron:** To ask the Secretary of State for Energy what steps he is taking to ensure the continuation of the fluidised bed project at Grimethorpe; and if he will make a statement.

Mr. Michael Spicer: The future of the facility is a matter for British Coal and private industry wishing to exploit the technology.

Energy Policy

26. **Mr. Stern:** To ask the Secretary of State for Energy what contribution his Department is making to research into the energy policy implications of the greenhouse effect.

Mr. Michael Spicer: The greenhouse effect is a complex and developing subject and the extent to which energy production and use contribute to the effect are not yet clear. The Government, in their commitment to the development of nuclear power and renewable sources, are taking steps to minimise energy's impact upon climatic conditions.

North Sea Oil and Gas

28. **Mr. Batiste:** To ask the Secretary of State for Energy how many *(a)* new drillings have been made and *(b)* new finds have been discovered in the North sea over the last three years; if he will split the figures between oil and gas; what percentage these new workings represent of the total output; and if he will make a statement.

Mr. Peter Morrison: The total number of wells drilled on the United Kingdom continental shelf since 1985 is as follows:

Year	*Number*
1985	290
1986	198
1987	256

Note: 251 offshore wells have been drilled so far this year (to end September). The total for the corresponding period in 1987 was 184. (Figures include exploration, appraisal and development drilling).

The total number of significant offshore oil and gas discoveries announced in the last three years is as follows:

	Oil	*Gas*
1985	14	8
1986	6	9
1987	8	11

A further three significant discoveries, all of them oil, had been made by the end of September this year.

Significant discoveries since 1 January 1985 represent 28 per cent. of those made since the commencement of offshore exploration in 1964.

The high level of drilling activity during 1988 reflects the continuing confidence of the oil industry in the United Kingdom continental shelf. Current activity is at a level not far short of the record years of 1984 and 1985 when 290 wells were drilled.

British Coal

29. **Mr. Hardy:** To ask the Secretary of State for Energy if consideration has been given to a proposal that there should be a management purchase of British Coal; and if he will make a statement.

Mr. Michael Spicer: We intend to privatise the coal industry after the next general election. We are currently considering the options; no decisions have yet been made.

31. **Mr. Moss:** To ask the Secretary of State for Energy when he last met with the chairman of British Coal; and what matters were discussed.

Mr. Parkinson: I meet the chairman of British Coal regularly to discuss all aspects of the coal industry.

41. **Mr. Marlow:** To ask the Secretary of State for Energy what options he is considering for privatisation of the coal industry.

Mr. Parkinson: No decisions have yet been made. The Government will look at a wide range of options.

Radioactive Waste

30. **Mr. Alan W. Williams:** To ask the Secretary of State for Energy what assessment he has made of the implications of the rundown of the fast breeder reactor programme at Dounreay for the continued reprocessing of spent fuel in the United Kingdom.

Mr. Michael Spicer: I refer the hon. Member to the answer given to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 28 July 1988 at column *484*.

Domestic Heating Costs

32. **Mr. Holt:** To ask the Secretary of State for Energy what is the average annual cost of heating a two-bedroomed house in *(a)* south-east England, *(b)* the west country, *(c)* the north-east and *(d)* Scotland.

Mr. Peter Morrison: Table I gives the costs of heating a standardised two bedroom house in the four regions requested. For any region the costs will vary according to the type of fuel utilised and the level of house insulation. Table II gives current and price deflated indices for fuel used for domestic heating. In real terms the cost of heating a house (irrespective of the fuel used) is lower in 1988 than at any time since 1981.

Table I
Calculated Costs for Heating a Standardised 2-bedroom House (by region and type of fuel)

	Gas	*Electric*	*Coal*	*Oil*
West Country	£115-200 (195-280)	£130-240 (205-315)	£115-215 (255-355)	£95-165 (160-230)
South East	£120-210 (200-290)	£140-255 (215-230)	£130-240 (280-390)	£100-170 (165-235)
North East	£140-240 (260-320)	£160-295 (235-370)	£120-220 (240-340)	£115-195 (180-260)
Scotland	£140-245 (260-325)	£165-300 (240-375)	£135-250 (270-385)	£115-195 (180-260)

Basis for Calculations:
1. Costs are calculated for a standardised house on the same basis as the last published (February 1986) set of monergy guides, with fuel prices updated to April 1988.
2. The house used is the 'small semi-detached' as in the guides.
3. Figures given first are for space heating only, the range representing the 'poor insulated' and 'well insulated' cases. The bracketed figures include water heating also.
4. No standing charges or maintenance costs are included.
5. The calculations are based on standard wet central heating systems for gas, coal and oil. For electric heating storage radiators using Economy

7 are assumed.
6. All day heating is assumed (16 hours, as in moncrgy guides).
7. Figures are adjusted for regional degree days. For coal only, figures also take account of regional fuel price variations.
8. An allowance has been made for electricity used to power central heating pumps.

Table 2
Domestic sector: Current fuel price index numbers

1985 = 100

	Coal and coke	*Gas*	*Electricity*	*Heating oils*	*Fuel and light*	*Petrol and oil*	*Fuel, light, petrol and oil*	*RPI all items excluding fuels*
1970	14	21	15	9	16	16	16	20
1974	20	26	22	19	22	27	24	30
1980	65	53	70	60	63	67	64	71
1981	76	66	84	71	76	79	77	79
1982	82	83	92	81	87	85	86	86
1983	87	93	96	92	93	91	92	90
1984	94	96	97	92	96	94	95	94
1985	100	100	100	100	100	100	100	100
1986	103	102	102	86	101	87	95	104
1987	104	101	102	80	101	88	96	109
Percentage change 1986 to 1987	1	−1	−1	−8	−1	1	1	4
1986 Quarter 3	101	102	103	79	101	83	94	105
Quarter 4	105	103	102	77	101	86	95	106
1987 Quarter 1	105	103	102	80	101	88	96	107
Quarter 2	102	103	102	78	101	88	96	109
Quarter 3	103	100	102	79	100	88	96	109
Quarter 4	105	98	102	80	100	87	95	111
1988 Quarter 1	107	98	102	76	99	86	94	111
Quarter 2	104	101	106	73	102	87	96	114
Quarter 3	102	104	110	71	105	88	98	115
Percentage change 3rd Quarter 1987 to 3rd Quarter 1988	—	3	9	−11	5	—	3	6

Table 3
Domestic sector: Deflated[1] fuel price index numbers

1985 = 100

	Coal and coke	*Gas*	*Electricity*	*Heating oils*	*Fuel and light*	*Petrol and oil*	*Fuel, light, petrol and oil*
1970	72	106	76	46	77	82	79
1974	69	87	75	66	75	91	81
1980	91	74	98	84	88	93	90
1981	97	84	106	90	96	99	97
1982	96	96	107	95	101	99	100
1983	97	103	107	102	104	101	103
1984	100	102	103	98	102	100	101
1985	100	100	100	100	100	100	100
1986	99	98	98	82	97	83	91
1987	95	93	93	73	92	81	88
Percentage change 1986 to 1987	−3	−5	−5	−12	−5	−3	−4
1986 Quarter 3	97	98	98	75	97	80	89
Quarter 4	99	97	97	72	96	81	89
1987 Quarter 1	98	96	95	75	95	82	90
Quarter 2	94	94	93	72	93	81	88
Quarter 3	94	92	93	73	92	81	88
Quarter 4	95	89	92	73	90	79	86
1988 Quarter 1	96	88	92	68	89	77	85
Quarter 2	91	89	93	64	90	77	84
Quarter 3	89	90	96	61	91	76	85
Percentage change 3rd Quarter 1987 to 3rd Quarter 1988	−5	−2	3	−16	−1	−6	−3

[1] Fuel price indices from table 1 have been deflated by the RPI for all items excluding fuels (shown in table 1).

Wytch Farm

33. **Mr. Michael Morris:** To ask the Secretary of State for Energy what are the current production figures from the Wytch Farm oilfield; and if he will list the production figures for each of the last three years.

Mr. Peter Morrison: Total production from the Wytch Farm oilfield for 1988 up to 30 September is 362,000 tonnes.

Total production since 1985 is as follows:

	('000 tonnes)
1985	252·6
1986	276·4
1987	292·0

Energy Conservation

34. **Ms. Quin:** To ask the Secretary of State for Energy if his Department plans any further campaigns to promote energy saving.

Mr. Peter Morrison: I refer the hon. Member to the answer given to my hon. Friend the Member for Berkshire, East (Mr. MacKay) on 9 June 1988 at columns *634-35*. This described the new aims of the Energy Efficiency office and its main areas of work from 1989-90. Work is continuing to develop new strategies and programmes to promote energy efficiency.

Electricity Industry

35. **Mr. Boswell:** To ask the Secretary of State for Energy what progress has been made on the appointment of board members and the formation of the management team for the smaller of the two generating companies.

Mr. Parkinson: I refer my hon. Friend to the answer given today to my hon. Friend the Member for Gloucester (Mr. French), and to the press notice which has been placed in the Library of the House.

Sellafield (Safety)

36. **Mr. David Nicholson:** To ask the Secretary of State for Energy if he will make a statement on the report by the Health and Safety Executive on safety procedures at Sellafield; and if he will make a statement.

Mr. Michael Spicer: I refer my hon. Friend to the answer I gave to the hon. Member for Merionnydd Nant Conwy (Dr. Thomas) on 25 October 1988 at column *133*. A copy of the Health and Safety Executive's press release which includes the conclusions and recommendations of the report has been placed in the Library of the House.

Power Station (Fawley)

37. **Sir David Price:** To ask the Secretary of State for Energy whether, in the light of Her Majesty's Government's policy toward the prevention of pollution from fossil fuel sources, he will invite the Central Electricity Generating Board to withdraw its application to build a 1,800 MW coal-fired power station at Fawley on Southampton Water.

Mr. Michael Spicer: I refer my hon. Friend to the answer given to my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on 27 October 1988 at column *320*.

Oil-related Construction

39. **Mr. Kennedy:** To ask the Secretary of State for Energy if he will make a statement on the current level of oil-related construction activity in the United Kingdom economy.

Mr. Peter Morrison: Capital cost of the 17 offshore projects approved so far this year alone is around £3 billion. The current level of United Kingdom oil and gas construction activity is 129,000 tonnes and has the opportunity of increasing when the fabrication orders for the recently approved £1·1 billion Miller project go out to tender.

Gas and Electricity Charges

40. **Mr. Bernie Grant:** To ask the Secretary of State for Energy what representations he has received regarding the effect of recent gas and electricity charge increases on various age and income groups in the population; and if he will make a statement.

Mr. Peter Morrison: Gas tariff prices are a matter for British Gas plc within the limits set by the price formula.

I have received a number of representations on electricity prices.

Coal Imports

42. **Mr. Allen McKay:** To ask the Secretary of State for Energy what was the total amount of coal imported each year since 1979.

Mr. Michael Spicer: The information the hon. Member requests is as follows:

Year	*Quantity '000 tonnes*
1979	4,375
1980	7,334
1981	4,290
1982	4,062
1983	4,456
1984	8,894
1985	12,732
1986	10,554
1987	9,781

Source: Customs and Excise.

Environmental Protection

43. **Mr. Malcolm Bruce:** To ask the Secretary of State for Energy what plans he has to increase the priority given to the protection of the environment in his Department's activities.

Mr. Parkinson: I fully recognise that all forms of energy production and use have environmental implications. Accordingly, my Department attaches high priority to promoting measures which will minimise those environmental consequences while maintaining diversity of supply. Relevant programmes include: promotion of energy efficiency; endorsement of the CEGB's major programmes to install SO_2 and NO_x emission controls; the proposed non-fossil fuel obligation for the privatised electricity supply industry; support for nuclear power and continued development of commercially viable alternative and renewable energy sources; and preparation of full environmental assessments for all major energy projects with significant environmental impact. Increasing international understanding of the environmental implications of energy production will continue to be reflected in all aspects of my Department's activites.

British Coal Enterprise Ltd.

44. **Mr. Knowles:** To ask the Secretary of State for Energy how many alternative job opportunities were

created by British Coal Enterprise Ltd. over the last 12 months in the United Kingdom; and if he will make a statement.

Mr. Michael Spicer: This is a matter for British Coal Enterprise Ltd. and I am asking the chairman to write to the hon. Member.

Radiation

47. **Mr. Hannam:** To ask the Secretary of State for Energy what are the levels of radiation from each of the following sources of energy *(a)* coal, *(b)* nuclear, *(c)* geothermal, and *(d)* peat, oil and gas.

Mr. Michael Spicer: I refer my hon. Friend to the answer given by my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley) on 31 October 1988 at col. *534*.

Board Members

Mr. Amess: To ask the Secretary of State for Energy what progress has been made on the appointment of board members and the formation of the management team for the larger of the two generating companies.

Mr. Parkinson: I refer my hon. Friend to the answer given today to my hon. Friend the Member for Gloucester (Mr. French), and to the press notice which has been placed in the Library of the House.

Electricity Generation

Sir David Price: To ask the Secretary of State for Energy what are his latest estimates of the comparative unit costs of electricity generation from two new base load power stations using, respectively, nuclear fuel, coal, oil, gas and hydro.

Mr. Michael Spicer: This is an operational matter for the Central Electricity Generating Board and I have asked the chairman to write to my hon. Friend.

Deep-mined Coal

Mr. Stevens: To ask the Secretary of State for Energy if he will list costs per tonne of deep-mined output for British Coal over the last 12 months: what equivalent information he has for *(a)* West Germany and *(b)* France; and if he will make a statement.

Mr. Michael Spicer: In 1987-88 the cost of deep mined output by British Coal was £41·90 per tonne. The latest consistent international comparisons are for 1986 and cover all mining costs, including interest. They show United Kingdom costs at £52 per tonne, compared with £79 for West Germany and £68 for France.

NORTHERN IRELAND

Trials

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will publish in the *Official Report* in how many cases, in each year from 1983, judges were unable to draw inferences from *(a)* the failure of the accused to mention particular facts when questioned about or charged with an offence, *(b)* the failure of the accused to testify in trial when called upon by the court to do so, *(c)* an accused person's failure to account for objects, substances or marks in certain circumstances, and *(d)* an accused person's failure to account for their presence at a place about the time the offence for which the accused was arrested was committed, indicating in how many cases failure to draw such inferences led to acquittal.

Mr. Ian Stewart: The information requested is not available.

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) if he will publish in the *Official Report* any representations from the Director of Public Prosecutions for Northern Ireland he has received seeking amendment of the rules of evidence with respect to *(a)* allowing inferences to be drawn from the failure of the accused to mention particular facts when questioned about or charged with an offence, *(b)* allowing inferences to be drawn from the failure of the accused to testify in trial when called upon by the court to do so, *(c)* allowing inferences to be drawn from the failure to account for objects, substances or marks in certain circumstances, and *(d)* allowing inferences to be drawn from an accused person's failure to account for their presence at a place about the time the offence for which the accused was arrested was committed:

(2) if he will publish in the *Official Report* any representations from the Royal Ulster Constabulary he has received seeking amendment of the rules of evidence with respect to *(a)* allowing inferences to be drawn from the failure of the accused to mention particular facts when questioned about or charged with an offence, *(b)* allowing inferences to be drawn from the failure of the accused to testify in trial when called upon by the court to do so, *(c)* allowing inferences to be drawn from an accused person's failure to account for objects, substances or marks in certain circumstances, and *(d)* allowing inferences to be drawn from an accused person's failure to account for their presence at a place about the time the offence for which the accused was arrested was committed:

(3) if he will publish in the *Official Report* the representations from the Northern Ireland judiciary he has received seeking amendment of the rules of evidence with respect to *(a)* allowing inferences to be drawn from the failure of the accused to mention particular facts when questioned about or charged with an offence, *(b)* allowing inferences to be drawn from the failure of the accused to testify in trial when called upon by the court to do so, *(c)* allowing inferences to be drawn from an accused person's failure to account for objects, substances or marks in certain circumstances, and *(d)* allowing inferences to be drawn from an accused person's failure to account for their presence at a place about the time the offence for which the accused was arrested was committed:

Mr. Ian Stewart: No. Exchanges between the Government and the Director of Public Prosecutions, Royal Ulster Constabulary and Northern Ireland judiciary are confidential.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will publish in the *Official Report* any representations from the Police Federation for Northern Ireland he has received seeking amendment of rules of evidence with respect to *(a)* allowing inferences to be drawn from the failure of the accused to mention particular facts when questioned about or charged with an

offence, *(b)* allowing inferences to be drawn from the failure of the accused to testify in trial when called upon by the court to do so, *(c)* allowing inferences to be drawn from an accused person's failure to account for objects, substances or marks in certain circumstances, and *(d)* allowing inferences to be drawn from an accused person's failure to account for their presence at a place about the time the offence for which the accused was arrested was committed.

Mr. Ian Stewart: No. Representations by the Police Federation which are not made public by it, are confidential.

Custodial Sentences

Mr. McNamara: To ask the Secretary of State for Northern Ireland what was the average length of custodial sentence of female prisoners in Northern Ireland in the first six months of the current year.

Mr. Ian Stewart *[holding answer 1 November 1988]:* The average length of determinate sentences was 8·8 months, excluding those committed to prison in default of payment of a fine, and including persons sentenced to detention in a young offenders' centre.

Firearms

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will publish a table in the *Official Report* showing the number of firearms by type, including handguns, rifles, shotguns or fully automatic weapons, which were seized by the security forces in Northern Ireland in 1987 and 1988; and for each type, how many were legally held weapons stolen by terrorist organisations from (i) civilians, (ii) Royal Ulster Constabulary sources, (iii) Royal Ulster Constabulary Reserve sources, (iv) Ulster Special Constabulary sources, (v) Ulster Defence Regiment sources and (vi) regular Army sources.

Mr. Ian Stewart *[holding answer 1 November 1988]:* Information is not readily available in the form requested and could be obtained only at disproportionate cost. However, information about weapons which have been recovered or stolen is given in the following table:

	Pistols/ Revolvers	*Rifles*	*Machine Guns*	*Shotguns*
Terrorist firearms recovered by the Security Forces in Northern Ireland in 1987	91	183	23	47
Terrorist firearms recovered by the Security Forces in Northern Ireland in 1988 (to 24 October)	123	184	24	31
Legally held weapons stolen in Northern Ireland:				
(a) 1987:				
Stolen from:				
Army	0	0	0	0
Ulster Defence Regiment	40	134	4	0
Royal Ulster Constabulary/Royal Ulster Constabulary Reserve	10	0	0	0
Civilians	17	18	0	91
(b) 1988 (to 24 October)				
Stolen from:				
Army	2	1	0	0
Ulster Defence Regiment	0	0	0	0
Royal Ulster Constabulary/Royal Ulster Constabulary Reserve	6	1	0	0
Civilians	9	6	0	49

A large number of parts of weapons have also been recovered.

DEFENCE

Nuclear Tests

Mr. Hinchliffe: To ask the Secretary of State for Defence if the service records of Army personel, involved in British nuclear tests in the 1950s and whose records were not available to the NRPB report, will be made available for subsequent reports; and what assessment he has made on the effect of the absence of these records on the accuracy of the findings of the NRPB report.

Mr. Sainsbury: The confidence of the authors in the validity of the findings of the NRPB report takes into account that some participants were not included. As I stated in an answer given to the hon. Member on 31 October, column 525, consideration is being given to improving coverage during the follow up study, the effect of which will be to increase the level of confidence in its findings. At no stage has the MOD withheld from the NRPB access to relevant records.

Mr. Hinchliffe: To ask the Secretary of State for Defence what advice is available to him as to why service men of higher than average levels of good health have not exhibited lower than average levels of cancers, especially multi myeloma and leukaemia, in the studies arising out of nuclear tests in the 1950s.

Mr. Sainsbury: I am advised that while the observation of somewhat lower than normal national average mortality in service personnel in both the participant and control groups of the NRPB study may be due in part to the selection of healthy recruits, and in part due to other factors on which the selection process was based do not necessarily lead to lower than average levels of cancer mortality or morbidity.

Mr. Hinchliffe: To ask the Secretary of State for Defence if he can give a breakdown of medical conditions

involved in disability claims for British nuclear test veterans and give information pertaining to service rank and military units in which they served during the 1950s.

Mr. Sainsbury: The information requested by the hon. Member is not available as the collation of information on medical conditions of service claimants to the Naval, Military and Air Forces etc. (Disability and Death) Legislation Act Service Pensions Order 1983 Number 883, operated by the Department of Social Security does not specifically allow test participants to be distinguished from other claimants.

Mr. Hinchliffe: To ask the Secretary of State for Defence (1) how many British military personnel were involved in American nuclear tests in the 1950s;

(2) what information he has as to whether any British civilians were involved in American nuclear trials in the 1950s.

Mr. Sainsbury: No identifiable groups of British military personnel were involved in the American atmospheric testing during this period. However, the increased United States/United Kingdom co-operation which took place following the 1958 agreement led to some exchanges of personnel, in particular involving a few civilian scientists, and may have included very small numbers of senior military personnel.

Mr. Hinchliffe: To ask the Secretary of State for Defence (1) how many British military personnel were involved in American nuclear tests in the 1960s;

(2) what is the total number of American nuclear tests in which British military personnel were involved, where these tests took place and which British military units took part.

Mr. Sainsbury: The numbers of United Kingdom personnel from 1962 onwards were stated in the reply that I gave to the hon. Member on 31 October, column *527*. The enhanced co-operation which dated from the 1958 agreement led to the United States using Christmas Island as a base for the series of United States tests known as Operation Dominic. The tests, starting April 1962 and continuing until November 1962, in its vicinity were all air drops of mainly low or intermediate yield, a few being in the low megaton range. Twenty four tests were conducted in this series, referred to in United Kingdom terms as Operation Brigadoon. The infrastructure built for the United Kingdom tests in the Grapple series (Grapple X, Y and Z) in the period 1957-58 was expanded to accommodate United States test personnel.

Mr. Hinchliffe: To ask the Secretary of State for Defence if he plans to investigate mortality and morbidity in British military personnel involved in American nuclear tests; and whether the NRPB included these servicemen in their report on the effects of nuclear tests in the 1950s.

Mr. Sainsbury: The United Kingdom personnel present for Operation Brigadoon were included in the NRPB study. I have no plans to conduct a study specifically on these individuals. As I stated in my answer on 31 October, column *525*, consideration is being given to improving coverage of this group, as part of the participant group as a whole, in the planned follow-up study.

Mr. Hinchliffe: To ask the Secretary of State for Defence how the testing of water supplies was undertaken on Christmas Island during British nuclear tests there in the 1950s; and what was the frequency of water sampling.

Mr. Sainsbury: The main source of supply was surface water accumulated over a very long period below the atoll. It was tested extensively and found to be sufficiently pure for drinking purposes. When demand was high, recourse was made to supplementary supplies of slightly brackish water which was treated by distillation. The environmental monitoring programme included routine checks on all rainfall for radioactivity to ensure that its addition to the source supply did not degrade it below drinking standards. The standard methods of checking water for radioactivity were to measure the activity of solids obtained by evaporation or precipitation.

Mr. Hinchliffe: To ask the Secretary of State for Defence if the NRPB, as part of its inquiry into cancer incidence in British military personnel serving in British nuclear tests in the Pacific during the 1950s, received and considered evidence from the British Nuclear Test Veterans Association pertaining to cancer incidence amongst its members; and if the NRPB will consider such information for future reports.

Mr. Sainsbury: In order to ensure that no bias was introduced between test participants and the control group, the NRPB study relied on information on mortality and the incidence of cancer from the National Health Service central register (NHSCR). The NRPB has received and is content to continue to receive information from the BNTVA and other associations on individuals who took part in the nuclear weapons test programme. If test participants not included in the study are identified by this route, reference is made to the NHSCR in order to obtain similarly unbiased mortality and cancer incidence data for them.

Mr. Hinchliffe: To ask the Secretary of State for Defence (1) what is the present status of the First Independent Field Squadron; and what was its major function during British nuclear tests in the 1950s;

(2) what information he has as to how many members of the First Independent Field Squadron, serving during British nuclear tests in the 1950s, are still living today;

(3) why members of the First Independent Field Squadron, previously serving on Christmas Island during British nuclear tests, were later involved in a series of experiments conducted at Porton Down; and what was the nature of these experiments.

Mr. Sainsbury: I have been informed that the First Independent Field Squadron was formed in Malaya in 1948. In 1950 the unit was posted back to the United Kingdom where, in November that year, it became known as the First Field Squadron. In January 1952 the unit was posted to BAOR Germany where it has remained to this day. There is no record of this unit ever being involved in the United Kingdom nuclear weapon tests or work at Porton Down.

Mr. Hinchliffe: To ask the Secretary of State for Defence what action was taken to test seaborne radiation levels around Christmas Island during British nuclear tests there.

Mr. Sainsbury: Sea water and fish were monitored throughout the test programmes at many locations. The levels of activity found for fish and for the majority of sea water samples were zero. For the few exceptions where a small increase in natural background radiation was found,

it was at such a level that the possibility of harm to any personnel or to the indigenous population could be dismissed. At no time did the levels monitored in sea water exceed 1/20th of the permitted limits for drinking water.

Mr. Hinchliffe: To ask the Secretary of State for Defence what information he has about the United States legislation providing for monthly payments in respect of different cancers contracted within 40 years of service during American nuclear tests; what assessment he has made of the extent of the similarity or otherwise between the degree of liability acknowledged by the United States Government in relation to those nuclear tests on the one hand, and that accepted by Her Majesty's Government, on the other; and if he will make a statement.

Mr. Sainsbury: In the light of the evidence of the effectiveness of the radiological protection arrangements adopted throughout the United Kingdom nuclear weapons test programme (which were recently fully vindicated by the findings of the NRPB report), I announced on 21 July at column *736*, that the Government cannot agree to the payment of any special compensation. I cannot comment on the United States Act which embodies a presumption of service connection for certain radiation exposed veterans; this is a matter for the United States Government.

Extramural Research

Mr. Hayward: To ask the Secretary of State for Defence if he will state the proportion of extramural research and development as shown in the Defence Estimates 1987-88 placed with private industry and the public.

Mr. Sainsbury: In the 1987-88 Estimates about 90 per cent. of total extramural research and development expenditure was placed with private industry and less than 1 per cent. with public corporations. Almost all of the remaining expenditure is overseas or with universities or other further education establishments.

Mr. Hayward: To ask the Secretary of State for Defence whether he will give the breakdown of the overseas extramural development, as shown in the Defence Estimates 1987-88 into country, company and project.

Mr. Sainsbury: The information requested by the hon. Member could be provided only at disproportionate costs.

Atomic Weapons Establishment, Cardiff

Mr. Morgan: To ask the Secretary of State for Defence what has been the total income from sales to the health-care-hospital sector from work done at the atomic weapons establishment, Cardiff over the past five years.

Mr. Sainsbury: The figures are as follows:

	£
1983-84	31,572
1984-85	32,829
1985-86	6,280
1986-87	3,189
1987-88	3,631

Mr. Morgan: To ask the Secretary of State for Defence what has been the total income from sales to the civil aerospace sector from work done at the atomic weapons establishment, Cardiff over the past five years.

Mr. Sainsbury: The figures are as follows:

	£
1983-84	—
1984-85	—
1985-86	—
1986-87	202
1987-88	57,268

Wormhoudt Massacre

Mr. Rooker: To ask the Secretary of State for Defence if he will make a statement on progress made on inquiries in respect of the Wormhoudt massacre during the summer adjournment.

Mr. Freeman: Following the review of the evidence we hold and the reopening of the case in Lubeck, British officials visited the office of the Lubeck public prosecutor for discussions during the summer. Arrangements are now being made for the prosecutor to examine our material in detail, as part of the active pursuit of evidence which he is undertaking.

NATIONAL FINANCE

Civil Servants (Location)

73. **Mr. Holt:** To ask the Chancellor of the Exchequer how many senior civil servants at grade assistant secretary and above are permanently located outside the south-east area.

Mr. Brooke: On 1 April 1988, a total of 1,060 civil servants at grade 5 level and above were located outside the south-east.

75. **Mr. Devlin:** To ask the Chancellor of the Exchequer what proportion of the Civil Service is currently located outside London and the south-east.

Mr. Brooke: On 1 April 1988, a total of 61·8 per cent. of civil servants were located outside London and the south-east.

Charitable Donations

74. **Mr. Yeo:** To ask the Chancellor of the Exchequer how many civil servants have made use of the Give-As-You-Earn scheme to make donations to charity.

Mr. Brooke: A total of 1,668.

Mr. Chris Smith: To ask the Chancellor of the Exchequer what was the cost to the Treasury of introducing relief for single donations to charities by companies in 1986-87, 1987-88 and for the first six months of 1988-89; and how much of the cost was attributable to such donations to professional arts organisations with charitable status in the same periods.

Mr. Norman Lamont: The cost accruing from single donations made in the periods specified are now estimated to be:

	£ million
1986-87	[1]2
1987-88	[1]3
April-September 1988-89	[2]3

[1] Revised.
[2] Provisional.

The cost attributable to donations to professional arts organisations is not known because many payments are made through intermediaries.

European Monetary System (Devaluation)

Mr. Leighton: To ask the Chancellor of the Exchequer what has been the cumulative revaluation or devaluation of *(a)* the deutschmark, *(b)* the French franc and *(c)* the Italian lira since the inception of the European monetary system.

Mr. Lilley: In the 11 realignments of the currencies in the exchange rate mechanism of the European monetary system since its inception in 1979, the central rates of the deutschmark, French franc and Italian lira against the ecu have been revalued by +22, −16 and −22½ per cent. respectively.

Married Women (Investment Income)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* the amount of investment income returned in 1986-87 in respect of *(a)* earning and *(b)* non-earning wives by range of the total income of the married couple, distinguishing separately those cases in which a wife's earnings election was in force.

Mr. Norman Lamont: Available estimates are in the table. All estimates are provisional and subject to a wide margin of error because they are based on a projection of the 1985-86 survey of personal incomes and the coverage of investment income in the survey is incomplete. In some cases, investment income on which basic rate liability is satisfied by deduction at source is not reported. No reliable estimates can be given for wives where the total income of the married couple is less than £5,000.

Wives with Investment Income, 1986-87

	Earning wives				*Non-Earning Wives*	
	With wife's Earnings election		*Without wife's Earnings election*			
Range of Total income of married couple (lower limit) £ *p.a.*	*Number of wives with investment income* 000	*Amount of investment income* £ *million*	*Number of wives with investment income* 000	*Amount of investment income* £ *million*	*Number of wives with investment income* 000	*Amount of investment income* £ *million*
5,000	—	—	740	210	1,310	380
10,000	—	—	2,440	720	1,140	340
20,000	20	10	690	310	130	90
30,000	110	80	100	100	80	120
50,000	30	90	20	100	30	80
Total	160	180	3,990	1,440	2,690	1,010

Mortgages

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he proposes that one spouse will be able to claim half of the mortgage interest relief against his/her income when separate taxation of men and women is introduced.

Mr. Norman Lamont: Yes. Married couples will be able to divide the allowable mortgage interest relief between them in whatever proportions they wish.

Mortgage Interest Relief

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the saving to the Exchequer in a full year at 1988-89 rates of taxation and income of *(a)* abolishing mortgage interest relief against higher-rate tax, *(b)* offsetting unearned income in excess of £200 a year against the relevant interest payment and *(c)* combining both *(a)* and *(b)*; and if he will publish in the *Official Report* a table showing in each case his estimate of the numbers affected and the consequential saving by income bands.

Mr. Norman Lamont: The latest estimate of direct revenue yield, in 1988-89 terms, of restricting relief on mortgage interest to the basic rate is £320 million. This estimate is based on the assumption that the mortgage interest rate in October 1988 continues to apply for the remainder of 1988-89. I refer the hon. Member to the replies which I gave him on 29 July. The first of these replies indicates the distribution of the cost of excess over basic rate relief on mortgage interest and of the number of mortgagors affected.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his reply dated 19 October, *Official Report*, columns *936-38*, concerning higher-rate taxpayers, he will publish in the *Official Report* a table showing his estimate of the average of mortgage interest paid in each case.

Mr. Norman Lamont: The table in the previous reply shows the average amount of mortgage interest relief received. As mortgage interest that is above the limit for interest that qualifies for relief does not have to be reported to the Inland Revenue, estimates of the average mortgage interest paid by each of the categories of tax units in the previous reply are not available.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his replies dated 29 July concerning mortgage interest relief, *Official Report*, columns *732-35*, he will publish in the *Official Report* the rate of mortgage interest assumed in each case in calculating the amount of relief.

Mr. Norman Lamont: The estimates given were based on the actual mortgage interest rate between April and July 1988 and on the assumption that the mortgage interest for the remainder of the financial year remained at the level which took effect in August 1988.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each of the relevant income bands

for single persons and one-earner and two-earner married couples of non-pensionable age the increase in revenue yield in 1988-89 from *(a)* disallowing mortgage interest relief against higher rate tax and *(b)* not including the amount of interest paid as an allowance against income in assessing the starting point for higher rate tax.

Mr. Norman Lamont *[holding answer 3 November 1988]:* The latest estimate of the direct revenue yield, in 1988-89 terms, of restricting relief on mortgage interest to the basic rate is £320 million. Of this, £50 million relates to basic rate taxpayers who are kept out of higher rate tax by higher rate relief on mortgage interest. The distribution of relief is indicated in my reply of 29 July at columns *731-34*. It is clear from the table in that reply that almost all the yield would arise from non-aged tax units.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the reason for not setting off investment income against mortgage interest tax relief in cases where investment income amounts to more than £500 a year; and if he will publish in the *Official Report* his estimate of the revenue yield from disallowing mortgage interest relief against all investment income in excess of £500 a year gross.

Mr. Norman Lamont *[holding answer 3 November 1988]:* Mortgage interest relief is allowable, up to the limit on relief, against total taxable income. I refer the hon. Member to the reply which I gave him on 29 July 1988 at column *495*.

Disaggregation of Income

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer, further to his written reply of 19 October concerning wife's earnings election, whether he will provide the information requested on the same total income basis as that given in his written reply of the same date concerning higher-rate taxpayers with a wife's earnings election together with the information on investment income and mortgage interest relief.

Mr. Norman Lamont: More detailed figures for taxpayers with incomes above £20,000 are in the table. They are based on a projection of the 1985-86 survey of personal incomes and are therefore provisional.

Wives' earnings election 1988-89

Income (lower limit)	*By range of joint total income of married couple*		*By range of wives earned income*		*By range of husbands total income*[1]	
£ per annum	*Number (thousands)*	*Cost (£ million)*	*Number (thousands)*	*Cost (£ million)*	*Number (thousands)*	*Cost (£ million)*
20,000	—	—	25	45	95	60
25,000	10	[2]—	10	25	60	50
30,000	85	20	5	10	30	35
35,000	80	55	[2]—	5	15	15
40,000	55	60	5	5	20	20
50,000	70	110	5	10	30	45
All ranges	300	245	50	100	250	225

[1] Husband's earned income plus husband and wife's investment income.
[2] Less than £1 million or 1,000.

Value Added Tax

Mr. Nicholas Baker: To ask the Chancellor of the Exchequer if he will announce the result of his discussions with representative charitable bodies about the effect of the recent European Court judgment on the value added tax position of charities.

Mr. Lilley: I have received a number of representations from charities about the potential impact on them of the recent European Court judgment on VAT zero rates, and I and Customs officials have also held meetings with representative groups. The issues raised are now being considered in detail; an announcement will be made in due course.

Company Taxation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what was the principal reason for the reduction between 1985 and 1986 in the amount allocated by industrial and commercial companies out of income for the payment of United Kingdom taxes.

Mr. Norman Lamont: A reduction in payments of petroleum revenue tax by North sea companies.

Debt Interest

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the amount of debt interest paid in 1987-88 by companies liable to corporation tax.

Mr. Norman Lamont: I regret that this information is not available.

Taxation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his reply dated 19 October, *Official Report*, columns *936-38*, he will publish in the *Official Report* a table showing for each income group in each category the loss of revenue in the current financial year as a result of the reduction in higher-rate tax to a uniform 40 per cent.

Mr. Norman Lamont: I refer the hon. Member to the reply I gave to the hon. Member for Dunfermline, East (Mr. Brown) on 29 April, at columns *323-24*.

Company Cars

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will publish in the *Official*

Report his estimate of the increase in yield from *(a)* higher rate and *(b)* income tax in 1988-89 by adding to the income for tax purposes of employers and their employees, respectively, an amount equal to the full cost, on a leaseback basis, of the provision of a passenger road vehicle other than a light van for personal as well as for business use grossed up to take account of the individual's marginal rate of tax, assuming that (i) a mileage allowance is given and assessed to tax where business journeys have been authorised and properly recorded and (ii) no such allowance is given;

(2) what is his estimate of the gain to the revenue from disallowing as a business expense the cost of acquiring, fuelling and maintaining passenger road vehicles, other than light vans in business livery, assuming that the properly recorded mileage actually driven on business is catered for by a mileage allowance;

(3) whether he will publish in the *Official Report* his estimate of the increase in taxable *(a)* corporate and *(b)* other profits in 1988-89 if the cost of leasing, purchasing and depreciating all passenger road vehicles other than light vans is disallowed as an expense, assuming that (i) a mileage allowance for business use is given where journeys have been authorised and properly recorded and (ii) no such allowance is given.

Mr. Norman Lamont: Insufficient information is available on which to base reliable estimates.

Unpaid Tax

Mr. Fisher: To ask the Chancellor of the Exchequer what information he has on back tax owed by insurance companies to the Inland Revenue.

Mr. Norman Lamont *[holding answer 4 November 1988]:* The Inland Revenue cannot, of course, comment on the tax affairs of any individual company. But in the main, insurance companies receive large amounts of tax credits and suffer income tax at source on their investment income. Their corporation tax liabilities will normally be satisfied by set-off against any repayment due.

Customs and Excise

Mr. Patrick Thompson: To ask the Chancellor of the Exchequer what guidelines are set to give consideration to the daily business operations of port operators and to the fast and efficient movement of traffic through ports when freight and passengers are being cleared by the Customs service.

Mr. Lilley *[holding answer 3 November 1988]:* Customs facilities are provided at ports in response to reasonable trade needs and subject to requirements such as the provision of security, office accommodation and adequate facilities for examining cargo. The policy is to approve an appropriate number of locations to balance the need for speedy clearance with the requirement for effective and economic revenue control.

Mr. Patrick Thompson: To ask the Chancellor of the Exchequer what was the number, type and cost of customs facilities required by Her Majesty's Customs and Excise which port authorities were requested to provide in 1986 and 1987.

Mr. Lilley *[holding answer 3 November 1988]:* I regret that statistics for the provision of Customs facilities are not kept centrally and can be obtained only at disproportionate cost.

Mr. Patrick Thompson: To ask the Chancellor of the Exchequer what criteria have been laid down to ensure that the provision of customs facilities at ports does not become a financial burden to ports and that these facilities are utilised by Customs and Excise in a way and for a length of time which reflects the value of the investment made.

Mr. Lilley *[holding answer 3 November 1988]:* When considering approval of a port, Customs require the operator to provide basic accommodation and cargo examination facilities. At wharves attended only infrequently, the operator must also pay Customs' charges for attendance. The financial implications involved are matters for commercial judgment by the port authorities at the time facilities are sought. Approval of facilities is normally for a period of three years and is renewable.

Mr. Patrick Thompson: To ask the Chancellor of the Exchequer whether the £5 million saved from the Customs and Excise budget by the utilisation of direct trade input systems by certain ports and airports will be used to increase Her Majesty's Customs and Excise resources at ports to increase effectiveness of controls and trade facilitation at those ports.

Mr. Lilley *[holding answer 3 November 1988]:* Resource savings flowing from the introduction of direct trader input systems are being used to improve the effectiveness of existing controls and to accommodate increases in the volume of international traffic and thereby facilitate trade.

CIVIL SERVICE

Ministerial Visits

Mr. Tony Banks: To ask the Minister for the Civil Service in what form information is held within his Department of the amounts reclaimed each year by Her Majesty's embassies and high commissions arising from ministerial visits.

Mr. Luce: Such payments as may be made for amounts reclaimed each year by Her Majesty's embassies and high commissions arising from ministerial visits attributable to this Department are held in aggregate form with our other disbursements to the Foreign and Commonwealth Office.

SCOTLAND

Juvenile Crime

Mr. Kirkwood: To ask the Secretary of State for Scotland (1) if he will list in the *Official Report* the initiatives being considered to stem the rise in juvenile crime in Scotland; and if he will make a statement;

(2) what additional funding is being made available to stem the rise in juvenile crime in Scotland;

(3) what specific proposals have been discussed with the police to combat the rise in juvenile crime in Scotland;

(4) what specific proposals have been discussed with educational and professional bodies and local authorities to combat the rise in juvenile crime in Scotland;

(5) what new proposals are being considered to combat juvenile housebreaking in Scotland;

(6) what new proposals are being considered to combat juvenile vandalism in Scotland;

(7) what new proposals are being considered to combat juvenile drug-related offences in Scotland;

(8) what new proposals are being considered to combat juvenile crimes of violence in Scotland;

(9) what new proposals are being considered to combat juvenile shoplifting in Scotland;

(10) what new proposals are being considered to combat juvenile drunkenness in Scotland.

Lord James Douglas-Hamilton: The 1987 figures for juvenile crime in Scotland were given in the statistical bulletin, "Children and Crime, Scotland 1987" which was published by the Scottish Home and Health Department on 25 October. These show a slight rise in the total number of police reports on children accused of crimes and offences in Scotland, from 31,900 in 1986 to 32,200 in 1987. Within the total there were welcome decreases in reports for housebreaking, vandalism and drugs offences, but increases in reports for offences of violence, drunkenness, breaches of the peace and shoplifting. All the agencies concerned, including the police and teachers, have an important part to play in reducing the number of criminal offences committed by children. Responsibility also rests with parents to inculcate a proper sense of social responsibility, and to exercise supervision and control.

As to specific initiatives being taken or promoted centrally, a number of crime prevention measures have been or are being taken forward by the Secretary of State for Scotland's Crime Prevention Committee—the membership of which includes representatives of the police, local authorities, commerce, the trade unions and the education services—aimed both at reducing crime among young people and at promoting a positive sense of social responsibility. In the latter context the second phase of the national crime prevention publicity campaign, which will begin in November, will highlight the many practical measures which individuals, commercial organisations and the public services can adopt to reduce the opportunities for crime and to promote a greater sense of neighbourliness. The rapid growth in the number of neighbourhood watch schemes in Scotland during the last 12 months is a clear indication of greater public awareness of the importance of crime prevention.

The Secretary of State's committee has encouraged the participation of young people in the work of crime prevention panels. A special project for young people was a feature of the seminar for representatives of Scottish crime prevention panels which was held at the Scottish Police college in March this year. In addition there are now 11 junior crime prevention panels in Scotland. The Secretary of State's committee has also worked with the Scottish Education Department and with local education authorities in developing teaching packages for use by school children. There have been recent packages at secondary level to encourage a broader view of the individual's role and responsibilities in society and to address the question of drug education. A package discouraging vandalism will shortly be distributed for use in primary schools.

Crossroads Schemes

Mr. Steel: To ask the Secretary of State for Scotland what representations he has received on continued funding of the Crossroads (Scotland) care attendant schemes; and if he will make a statement.

Mr. Rifkind: I have received a considerable number of representations from or on behalf of local Crossroads schemes about transition from the community programme to employment training.

Strong representations were expressed about the ability of local schemes to adapt to the conditions of employment training. Eight have however now signed contracts or are expected to do so shortly, demonstrating that there is no insuperable obstacle to continuation of their invaluable activities with support from that source. Others have obtained support from local authorities or health boards.

The Training Agency remains ready to offer advice and guidance to local schemes wishing to continue to resume activity with support under employment training.

British Rail (Fraud Investigation)

Mr. Mullin: To ask the Secretary of State for Scotland if he will call for a report from the chief constable of Strathclyde regarding the progress of police inquiries into allegtions of fraud by senior managers involving recently privatised British Rail contracts; and if he will list the contracts involved.

Lord James Douglas-Hamilton: British Transport police are investigating allegations of criminal conduct by senior officers of British Rail. The procurator fiscal at Glasgow is being kept advised as to the progress of these inquiries. Given that inquiries are still proceeding it would not be appropriate for further details to be given at this stage.

City Centre Crime

Mr. Darling: To ask the Secretary of State for Scotland what resources he has allocated in respect of his initiative to cut down on city centre crime in Scotland.

Lord James Douglas-Hamilton: As part of the Government's safer cities programme, we are initiating four projects in Scotland, in Edinburgh city centre, Castlemilk and Easterhouse in Glasgow, and at one other location which will be announced later. The aim of these projects is to draw in the local authorities, the local police and those living and working in the area in order to develop a co-ordinated strategy for tackling local crime. The role of the Government is to bring together those concerned and to provide initial funding in order to enable a co-ordinator to be appointed, a crime profile to be drawn up and an action plan to be prepared. Initially a sum of £200,000 has been set aside in the current financial year for these purposes. This is in addition to the £400,000 already allocated to crime prevention publicity measures.

Licensing (Scotland) Act 1976

Mr. Darling: To ask the Secretary of State for Scotland what representations he has received in respect of proposed changes to the Licensing (Scotland) Act 1976; and if he will make a statement.

Lord James Douglas-Hamilton: More than 2,000 representations were received in response to the 1986

consultation paper on the Licensing (Scotland) Act 1976. Following analysis of these representations, a statement will be made in due course.

Placement Requests

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total number of placement requests made by parents in the last academic year in each regional and divisional education authority; and if he will list these as a percentage of the relevant school rolls.

Mr. Michael Forsyth: The provisional numbers of placing requests received between August 1987 and July 1988 for education authority primary, secondary and special schools and these numbers expressed as percentages of the school rolls at September 1987 are given in the table below.

	Requests received	*Requests as percentage of rolls*
Borders	136	0·9
Central	973	2·3
Dumfries and Galloway	491	2·2
Fife	1,570	2·9
Grampian	2,366	3·1
Highland	441	1·3
Lothian	3,813	3·9
Strathclyde	11,935	3·3
Tayside	2,194	4·0
Orkney	6	0·2
Shetland	25	0·6
Western Isles	98	1·8
All Scotland	24,048	3·1
Argyll and Bute	160	1·6
Ayr	1,542	2·6
Dunbarton	1,986	3·7
Glasgow (city)	4,275	4·5
Lanark	1,868	2·2
Renfrew	2,104	3·7

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the number of primary and secondary schools in each regional and divisional education authority which were the subject of placing requests in the last academic year.

Mr. Michael Forsyth: The information requested is not available centrally.

YTS Guarantee

Mr. McLeish: To ask the Secretary of State for Scotland if he intends to discuss with local authority representatives the details of the YTS guarantee.

Mr. Lang: I have no such intention at present. I am of course always willing to consider representations on this matter.

Young Persons (Benefits)

Mr. McLeish: To ask the Secretary of State for Scotland how many 16 and 17-year-olds who previously received income support were transferred to bridging allowance after new benefit rules were introduced in September for Scotland.

Mr. Lang: On 4 October, the first date for which figures are available for Scotland, the number of young people in receipt of bridging allowance was 8,081. This figure includes young people previously on income support who subsequently applied for a YTS place and young people who have left a job or a YTS place since 12 September and have applied for a YTS place.

YTS

Mr. McLeish: To ask the Secretary of State for Scotland (1) how many approved YTS places are available in Scotland at the latest date for which the information is available;

(2) how many 16 and 17-year-olds were on YTS on the latest date for which the information was available.

Mr. Lang: At 30 September 1988 there were 62,329 agreed YTS places in Scotland, of which 50,273 were filled and 12,056 unfilled.

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of approved YTS places for each of the area manpower boards in Scotland at the latest date for which figures are available.

Mr. Lang: The number of agreed YTS places at 30 September 1988 at Training Agency area office level (which replaced the former area manpower boards) is shown in the following table:

	Places
Ayrshire, Dumfries and Galloway	7,255
Central and Fife	9,358
Glasgow City	9,914
Grampian and Tayside	9,447
Highlands and Islands	3,334
Lanarkshire	6,910
Lothian and Borders	7,695
Renfrew, Dunbarton and Argyll	8,416
Scotland	62,329

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of 16 and 17-year-olds eligible for the YTS for each of the area manpower boards in Scotland and at the latest date for which figures are available.

Mr. Lang: While all 16 and 17-year-olds in Scotland are eligible for YTS, a comprehensive analysis is not available on an area basis.

Mr. McLeish: To ask the Secretary of State for Scotland (1) what is the total number of approved YTS places currently available which have never been filled;

(2) what is the total number of authorised YTS places available which have been unoccupied for more than six months.

Mr. Lang: This information is not available.

Royal Ordnance Centre, Clydebank Business Park

Mr. Worthington: To ask the Secretary of State for Scotland whether he is considering taking any action to recover money from the royal ordnance centre in Clydebank business park following the statement that the centre is moving to Chorley in January.

Mr. Lang: I have had the position examined. There is no question of recovery of regional development grant in this case.

Enterprise Zones

Mr. Worthington: To ask the Secretary of State for Scotland what undertakings firms have to give about their continued presence in an enterprise zone before receiving assistance from the Scottish Development Department.

Mr. Lang: None. Enterprise zone benefits involve the removal of certain tax burdens and, as such, relate to a liability already incurred.

Women Workers (Glasgow)

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will make an assessment of *(a)* full-time and *(b)* part-time job prospects in the Glasgow area for unskilled women aged 40 to 50 years and 50 to 60 years.

Mr. Lang: Over the year to July 1988 the number of women aged 40 to 60 years claiming unemployment benefit in the Glasgow travel-to-work area fell by over 300. Job prospects in Glasgow for all groups of people depend on the continuing recovery of the Scottish economy.

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will make an assessment of average earnings per hour for unskilled women in the Glasgow area aged *(a)* 40 to 50 years and *(b)* 50 to 60 years.

Mr. Lang: Information in the form requested is not available. The Department of Employment's New Earnings Survey provides estimates for full-time female manual employees (skilled and unskilled) for Strathclyde region as a whole.

Gross average hourly earnings (excluding overtime) of female full-time manual employees Strathclyde region April 1987

Aged	£ per hour
40-49	2·95
50-59	2·85

These estimates are based on small samples. Average earnings will vary with occupation, industry and area within Strathclyde.

Mrs. Fyfe: To ask the Secretary of State for Scotland what percentage of all women in Glasgow work *(a)* full-time and *(b)* part-time.

Mr. Lang: In 1984, female full-time and part-time employees in employment whose place of work was in Strathclyde region represented roughly 33 per cent. and 20 per cent. respectively of the estimated female population of the region aged 16 to 59. These percentages include employees working in the area who live elsewhere, and count twice those with two jobs; they exclude the self-employed, and residents who work elsewhere.

The most recent information for City of Glasgow residents is given in tables 12 and 14 of "Census 1981 Scotland Report for Strathclyde Region volume 1", available in the Library of the House.

THE ARTS

Museums and Galleries

52. **Mr. Meale:** To ask the Minister for the Arts what further evidence he has on the effect of admission charges on visits to museums.

Mr. Luce: Those museums and galleries that have introduced charges have experienced a fall in attendances or expect to do so. All however find that the initial fall is soon reversed when visitors see for themselves the benefits and improvements which the revenue from charges brings, including extended opening hours.

63. **Mr. Chapman:** To ask the Minister for the Arts what steps his Department is taking to encourage national art galleries and museums to stage more special entry charged exhibitions so as to provide additional revenue for those galleries and museums.

Mr. Luce: The exhibition policies of the national museums and galleries are a matter for their trustees.

The Government are committed to maintaining support for museums and galleries in a way that encourages them to develop greater self-reliance in their development and to broaden their financial base. I have renewed for the coming three-year period my undertaking to the national institutions that they may retain any receipts they earn in addition to those which were assumed at the time of their grant-in-aid allocations. In the present year the national museums and galleries that I sponsor expect their income from non-grant sources to exceed £20 million.

67. **Mr. Bowis:** To ask the Minister for the Arts what is the increase or decrease in Government spending on museums and galleries since 1979.

Mr. Luce: Funding for museums and galleries from the central Government arts programme was £48·202 million in 1979-80 and £153·576 million in 1988-89.

Inner Cities

54. **Mr. Jessel:** To ask the Minister for the Arts what assessment he has made of the contribution the arts can make to the redevelopment of the inner cities.

Mr. Luce: I have been impressed with the contribution that many arts projects have made in inner city areas which I have visited. Three recent conferences in Glasgow, Halifax and at Leeds castle in Kent have brought out the importance of the arts in increasing the overall attractiveness of an area, which in turn encourages new economic development. I will continue to encourage local business support for such projects in all possible ways.

Bradford

55. **Mr. Madden:** To ask the Minister for the Arts when he next intends to visit arts projects in Bradford.

Mr. Luce: I last visited Bradford in June this year. I hope to go again, but not immediately.

Arts Council

56. **Mr. Robert G. Hughes:** To ask the Minister for the Arts when he last met the chairman of the Arts Council; and what was discussed.

64. **Mr. Tony Banks:** To ask the Minister for the Arts when he last met the chairman of the Arts Council; and what matters were discussed.

Mr. Luce: I last met the chairman of the Arts Council on 11 July. We discussed matters of mutual interest.

Alhambra Theatre, Bradford

57. **Mr. Wall:** To ask the Minister for the Arts when he last visited the Alhambra theatre in Bradford.

Mr. Luce: I last paid an informal visit to the Alhambra threatre in Bradford on the 30 June 1988.

Libraries

58. **Mr. Burns:** To ask the Minister for the Arts whether he has drawn any conclusions from his public consultations on the future of the library system.

Mr. Luce: The analysis of the responses is nearly completed. I wish to take full account of the views expressed to me before announcing the action which I propose to take.

Business Sponsors

59. **Mr. Patrick Thompson:** To ask the Minister for the Arts how many new business sponsors have been attracted to the arts in the last 12 months.

Mr. Luce: Figures for all new sponsors are not available. However, latest figures for new sponsorship under the Government's business sponsorship incentive scheme show that 220 businesses all over the country supported the arts for the first time in the last 12 months.

Public Lending Right Scheme

60. **Mr. David Nicholson:** To ask the Minister for the Arts how many authors were registered under the public lending right scheme in the last financial year.

Mr. Luce: The total number of authors registered at February 1988 was 14,635. The number of new registrations in that financial year was 1,687.

Community Photographic Workshops

61. **Mr. Boyes:** To ask the Minister for the Arts what information he has on the number of community photographic workshops in England and Wales.

Mr. Luce: Information of this kind is not held centrally. It is estimated that there are some 100 community photographic workshops nationally.

Tate Gallery (Liverpool)

62. **Mr. Wareing:** To ask the Minister for the Arts what information he has on the level of staffing of the Tate gallery in the north.

Mr. Luce: There are 47 staff at the Tate gallery, Liverpool of whom 19 are warders. The gallery also employs 10 casual staff as gallery attendants.

Libraries (Green Paper)

65. **Mr. Haynes:** To ask the Minister for the Arts when he expects to publish his response to public consultation on his Green Paper on libraries.

Mr. Luce: I shall tell the House what action I propose to take as soon as possible.

Opera Companies

66. **Mr. John Greenway:** To ask the Minister for the Arts what action he is taking to promote touring by opera companies throughout the United Kingdom.

Mr. Luce: I allocated £1·5 million in extra funds to the Arts Council in 1988-89 to promote touring in all art forms. The results are already evident, and include an extra seven weeks performance by touring opera companies. I expect this level of performances to be maintained.

Government Spending

Mr. Fisher: To ask the Minister for the Arts (1) if he will publish a table showing central Government expenditure on the arts by standard planning region for the years 1980-81 and 1987-88 inclusive on *(a)* national museums and *(b)* performing arts, expressed in (i) cash terms and (ii) per capita;

(2) if he will publish a table showing central Government total expenditure for the arts by standard planning region for the years 1980-81 and 1987-88 inclusive *(a)* in cash terms and *(b)* per capita.

Mr. Luce: Central Government expenditure on the arts is not planned on a regional basis but on a national one, and is monitored similarly. The information is therefore not available but I would refer the hon. Member to the Chief Secretary's written answer to a question from my hon. Friend the Member for Boothferry (Mr. Davis) at column *120*.

Galleries

Mr. Fisher: To ask the Minister for the Arts what evidence he has that the trustees of *(a)* the National gallery, *(b)* the Tate gallery and (c) the National Portrait gallery have encountered difficulties, arising out of their status and constitution, in relation to their buildings or to major building and maintenance contracts.

Mr. Luce: Unlike the majority of national museums and galleries, the governing trustees of these three galleries do not have a single corporate identity but are groups of individual trustees. This complicates certain contractual arrangements which the galleries may wish to enter into where it would be more usual to refer to the contracting party as a single corporate body. The trustees of all three galleries have requested that they be granted corporate status and I have indicated my intention to introduce legislation to achieve this.

Collections (Disposal)

Mr. Fisher: To ask the Minister for the Arts whether he will publish a table itemising, for each national museum and gallery, the objects from their collections which have been disposed of, in each of the last five years, by *(a)* sale, *(b)* exchange or *(c)* gift, under the categories of (i) duplication, (ii) unsuitability for retention and disposability without detriment to the interests of students or other members of the public, (iii) transfer to another national museum or gallery and (iv) lack of usefulness by reason of damage, physical deterioration or infestation by destructive organisms.

Mr. Luce: This information is not held centrally and could not be gathered without disproportionate cost.

Incentive Funding

Mr. Barry Field: To ask the Minister for the Arts what progress has been made with his incentive funding schemes.

Mr. Luce: I am pleased with progress so far. The Arts Council has received 261 applications for its scheme and has made its first award. I expect a commitment of £12·5 million over the three years 1988-89 to 1990-91. My scheme for public libraries has produced 13 awards, totalling £300,000. Incentive schemes are also under way for the museums, British Film Institute, Crafts Council and National Film and Television School.

EMPLOYMENT

YTS

Ms. Short: To ask the Secretary of State for Employment if he will publish the average amount of compensation paid in 1987 to *(a)* those young people who have suffered major injuries on YTS and *(b)* the families of those young people who have had a fatal accident on YTS.

Mr. Cope: I regret that the information is not available in the precise form requested and can only be obtained at a disproportionate cost. The total amount of benefit of £583,393 paid by the Training Agency's industrial injuries scheme from 1 January 1987 to 31 December 1987 includes payments made on minor injuries. Some of this sum shown relates to continuing benefits payable to trainees who were injured in previous years. Assessment of an average amount of benefit by period would therefore be misleading.

In line with the Department of Social Security's statutory industrial injuries scheme regulations, which the Training Agency must mirror, four families claimed and received an industrial death grant of £78 and one family claimed and received an industrial death grant of £52.

Mr. McLeish: To ask the Secretary of State for Employment if he intends to discuss with local authority representatives the details of the YTS guarantee in Wales and each of the standard regions.

Mr. Cope: My right hon. Friend will be meeting the local authority associations later this month to discuss training matters.

Mr. McLeish: To ask the Secretary of State for Employment how many approved YTS places are available in Wales and each of the standard economic regions at the latest date for which the information is available.

Mr. Cope: I regret that the information is not available for the standard regions. However, figures for the number of agreed YTS places for Wales and the Training Agency regions which were unfilled on 30 September 1988, the latest date for which information is available, are provided in the table below:

	Numbers
Wales	3,500
Northern	6,700
North West	13,900
Yorkshire and Humberside	8,200
West Midlands	19,900
East Midlands and Eastern	13,600
South West	10,900
London	11,300
South East	16,800

Mr. McLeish: To ask the Secretary of State for Employment how many 16 and 17-year-olds are on YTS in Wales in each of the standard economic regions for the latest date for which the information is available.

Mr. Cope: Figures for all trainees on YTS training in Wales and in each of the Training Agency regions on 30 September 1988, the latest date for which information is available, are provided below:

	Numbers
Wales	25,900
Northern	33,200
North West	67,900
Yorkshire and Humberside	51,900
West Midlands	51,700
East Midlands and Eastern	52,300
South West	34,400
London	22,100
South East	45,800

These figures include a small proportion of trainees who have passed their 18th birthday.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the total number of 16 and 17-year-olds on the YTS or equivalent youth programme in each of the years 1979 to 1988 inclusive for Wales and each of the standard English regions.

Mr. Cope: Figures for trainees on YTS training in Wales and in each of the Training Agency regions of England for the financial years 1985-86 to 1987-88 are given in the table below. Figures for earlier years are not readily available.

	1985-86	*1986-87*	*1987-88*
Wales	16,000	18,700	22,200
Northern	18,100	22,700	27,900
North West	39,400	46,100	58,900
Yorkshire and Humberside	28,200	31,300	42,100
West Midlands	54,900	39,100	46,900
East Midlands		34,700	45,700
South West	20,800	23,000	30,000
London	15,800	16,500	20,100
South East	41,100	31,800	41,000

Note: The figures include a small proportion of trainees who have passed their 18th birthday.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the total number of 16 and 17-year-olds on the YTS or equivalent youth programmes in each of the years 1979 to 1988, inclusive.

Mr. Cope: Average figures for the number of trainees in training for the financial years 1979-80 to 1987-88 inclusive are given in the table:

Year	*Trainees*
1979-80	[1]77,300
1980-81	[1]127,500
1981-82	[1]188,400
1982-83	[1]256,800
1983-84	[2]242,300
1984-85	[3]267,000
1985-86	[3]264,000
1986-87	[3,4]296,300
1987-88	[3]376,000

[1] Figures relate to the Youth Opportunities Programme (YOP).
[2] This figure includes 81,300 trainees on YOP and 161,000 on YTS.
[3] Figures relate to YTS.
[4] Two year YTS commenced in April 1986.
Note: The figures include a small proportion of trainees who have passed their 18th birthday.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the total expenditure in YTS in Scotland, Wales and each of the standard regions of England for 1986, 1987 and the estimated expenditure for 1988, 1989 and 1990.

Mr. Cope: A regional breakdown is not available on a consistent basis because so many schemes are national or cross regional boundaries. Figures for Great Britain for financial years published in the 1988 public expenditure White Paper are:

£ (million)	*Year*
847	1986-87
1,006 (estimated outturn)	1987-88
1,179 (plans)	1988-89
1,189 (plans)	1989-90
1,156 (plans)	1990-91

Public expenditure revised figures will be published in the 1989 public expenditure White Paper.

Mr. McLeish: To ask the Secretary of State for Employment (1) what is the total number of authorised YTS places available which have been unoccupied for more than six months in Wales and each of the standard regions;

(2) what is the total number of approved YTS places currently available which have never been filled in Wales and each of the standard regions.

Mr. Cope: I regret that this information is not available and could only be provided at disproportionate cost.

Mr. McLeish: To ask the Secretary of State for Employment if he will outline the methods being used to provide publicly available information on 16 and 17-year-olds who remain unemployed after the ending of the bridging allowance payments or extended child benefit.

Mr. Cope: Young people are not required to report what they are doing once bridging allowance payments or extended child benefit cease. Information on the expected supply and demand for YTS places the number of unfilled YTS places and the numbers of people receiving bridging allowance is publicly available from my Department.

Mr. McLeish: To ask the Secretary of State for Employment (1) when the YTS guarantee will be met for every 16 and 17-year-old summer school leaver who did not enter full-time education or permanent employment for Scotland;

(2) when the YTS guarantee will be met for every 16 and 17-year-old summer school leaver who did not enter full-time education, or permanent employment, for Wales and each of the standard regions.

Mr. Cope: The payment of child benefit has been extended to the end of December in respect of young people who left school at the end of the 1988 summer term and who have applied for a YTS place. The Government have guaranteed the offer of a YTS place before the end of the child benefit extension period to all those 16 and 17-year-old who apply for one and who are not in full-time education or employment. This guarantee applies in all parts of Great Britain.

Mr. McLeish: To ask the Secretary of State for Employment how many 16 and 17-year-olds who previously received income support were transferred to bridging allowance after the new benefit rules were introduced in September for Wales and each of the standard regions.

Mr. Cope: On 4 October, the first date for which figures are available, the number of people in receipt of bridging allowance in Wales and each of the standard regions was:

	People
London and South East	4,411
South West	1,452
West Midlands	4,249
East Midlands	2,954
Yorkshire and Humberside	4,300
North West	6,876
Northern	2,861
Wales	2,323
Total	29,426

These figures relate to young people previously in income support who subsequently applied for a YTS place, and young people who have left a job or a YTS place since 12 September and have applied for a YTS place.

Labour Statistics

Mr. Hayward: To ask the Secretary of State for Employment by how much unemployment has fallen as a percentage *(a)* since the start of 1988, *(b)* in the last 12 months and *(c)* in the last two years in Greater London, Cornwall, Nottinghamshire, west Yorkshire and south Glamorgan.

Mr. Lee: The following information is in the Library. The table shows the percentage change in unemployment since the start of 1988, over the last 12 months and over the last two years for the areas requested.

Percentage change in unemployment[1]

	January 1988[2] *to September 1988*	*September 1987 to September 1988*	*September 1986 to September 1988*
Greater London	−10·7	−18·3	−30·0
Cornwall and the Isles of Scilly	−29·2	−19·2	−32·4
Nottinghamshire	−10·0	−14·4	−22·4
West Yorkshire	−12·8	−18·3	−29·8
South Glamorgan	−12·7	−17·0	−28·9

[1] The September 1988 figures include some over-recording.
[2] The change is affected by seasonal influences.

Mr. Hayward: To ask the Secretary of State for Employment what is the fall in unemployment expressed as a percentage decrease in *(a)* Greater London and *(b)* the other parts of the south-east included in the regional classification as displayed by his Department's monthly statistics.

Mr. Lee: The table shows the percentage change in unemployment over the 12 months to September 1988 for Greater London and the rest of the south-east.

Percentage Change in Unemployment (unadjusted)[1]

	September 1987 to September 1988
Greater London	−18·3
Rest of the south-east	−31·6

[1] The September 1988 figures include some over-recording.

Mr. Hayward: To ask the Secretary of State for Employment what is the unemployment rate for that area of the south-east not included in Greater London in his Department's monthly figures.

Mr. Lee: In September 1988 the unemployment rate, expressed as a percentage of the work force, in the south-east region excluding Greater London was 4·1 per cent. The September 1988 figures include some over-recording.

Mr. Hayward: To ask the Secretary of State for Employment what was the change in unemployment from the start of 1988 to the latest date available for each of the English regions as a percentage.

Mr. Lee: The following information is in the Library. The table shows the percentage change in unemployment over the nine months to September 1988 for each of the English regions.

Percentage change in unemployment (seasonally adjusted)[1]

	January 1988 to September 1988
South East	−15·4
East Anglia	−17·5
South West	−15·0
West Midlands	−14·4
East Midlands	−11·0
Yorkshire and Humberside	−9·5
North West	−10·2
Northern	−9·3

[1] The September 1988 figures include some over-recording.

Mr. Hayward: To ask the Secretary of State for Employment what was the fall in unemployment expressed as a percentage over the last two years in *(a)* Greater London, *(b)* the south-west, *(c)* the west midlands, *(d)* the east midlands, *(e)* East Anglia and *(f)* Wales.

Mr. Lee: The table shows the percentage change in unemployment over the two years to September 1988 for the areas requested.

Percentage change in unemployment (seasonally adjusted)[1]

	September 1986 to September 1988
Greater London	−29·5
South West	−34·9
West Midlands	−32·9
East Midlands	−28·0
East Anglia	−39·9
Wales	−27·6

[1] The September 1988 figures include some over-recording.

Disabled People

Mr. Hannam: To ask the Secretary of State for Employment when his Department intends to publish its review of disabled people's employment services announced in March; and if he will make a statement.

Mr. Lee: The review is now well advanced and will be completed as quickly as possible although I am unable to give a precise date for its completion.

Mr. Hannam: To ask the Secretary of State for Employment if he will introduce legislation to strengthen the Disabled Persons Employment Act 1944; and if he will make a statement.

Mr. Lee: I have no current proposals to introduce legislation to strengthen the Disabled Persons (Employment) Act 1944.

Mr. Hannam: To ask the Secretary of State for Employment if he will list the consultations he has had with organisations of and for disabled people as part of his review of disabled people's employment services.

Mr. Lee: The review is being undertaken on the basis of information and advice available already to my Department. This includes in particular the study of the Tomlinson principles completed by the National Advisory Council on employment of disabled people; and the conclusions of the Public Accounts Committee in its report on employment assistance to disabled adults published on 14 April 1988; and also views and information derived from the contacts maintained between my Department and those people and organisations with a particular interest in, or responsibility for, the employment of people with disabilities.

Inspectorate Staff

Mr. Meacher: To ask the Secretary of State for Employment if he will publish in the *Official Report* for

each year 1978 to the latest available date *(a)* the budget allocation of (i) staff, (ii) GAE costs, (iii) both for each Health and Safety Executive doctorate and division, *(b)* the number in post and the complemented figure for each inspectorate including factories, specialist, agriculture, mines and quarries, nuclear installations and explosives and *(c)* the number of doctors and nurses in the employment medical advisory service and scientists within research and laboratory services division and medical division.

Mr. Nicholls: (a) The payroll costs and general administrative expenses budgets for each division since 1986-87 are shown below.

£(000s) cash prices

Division	*1986-87 Payroll*	*1986-87 GAE*	*1987-88 Payroll*	*1987-88 GAE*	*1988-89 Payroll*	*1988-89 GAE*
Inspectorates						
Factory and Agricultural	21,158	9,475	22,019	10,159	24,414	10,929
Mines and Quarries	3,783	590	3,836	563	3,722	561
Nuclear installations	3,745	474	4,821	676	5,815	755
Other Divisions						
HSC/E SEC[1] and Solicitor	820	80	1,162	122	1,260	140
Resources and Planning	7,154	11,639	7,224	9,655	7,747	9,424
Hazardous substances	1,880	103	1,966	126	2,125	129
Safety policy	1,397	106	1,431	106	1,817	135
Medical	4,900	539	5,100	602	5,504	642
Research and laboratory services	6,767	3,129	7,004	2,913	7,557	2,900
Technology	5,767	1,032	6,236	1,132	6,875	1,262
Industrial air pollution[2]	1,235	271	—	—	—	—
Total	58,606	27,438	60,799	26,054	66,836	26,877

[1] Includes HSE Secretariat, commission expenses and chairman's salary.
[2] Transferred to Department of Environment on 1 April 1987.

(b) Staff in post in each inspectorate since 1980 are shown below.

Staff at 1 April each year

	1980	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
Inspectorate									
Factory and Agricultural	2,168	2,097·5	1,908·5	1,809·5	1,796·5	1,802·0	1,472·5	1,466·0	1,420·0
(Technology division see note 1)	—	—	—	—	—	—	(349)	(305)	(291)
Mines and Quarries	162	167·0	163·5	159·0	151·5	142·5	133·5	134·5	116·5
Nuclear Installations	125	133·0	142·0	152·0	159·0	156·5	163·0	168·5	186·5

Notes: In April 1986 specialist inspectors including explosives inspectors, who formerly worked within factory inspectorate, transferred to the newly-created technology division.
HSE inspectorates do not have formal complements. Budgets are issued to meet staffing targets, but the actual number and grades of staff, and balance between payroll and gae, will vary according to changes in work demands and other circumstances.

(c) The information requested about doctors, nurses and scientists is shown below:

Staff at 1 April each year

	1978	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
Medical division including EMAS											
Doctors	86·5	86·5	83	86	74	73	70	71·5	68·5	64·5	56·5
Nurses	85·5	91	80	72	59·5	60·5	63	50·5	53	49	53
Scientists	2	8	7	12	19	19	19	13	17	21	22
Research and laboratory services division											
Scientists	306	307·5	309	282	275	298	293	290	283	280	268·5

The further details requested could be provided, if at all, only at disproportionate cost.

Training

Mr. Haynes: To ask the Secretary of State for Employment when he intends to publish his White Paper on training; and whether it will contain any matters which will bring about changes in the criteria and operation of employment training.

Mr. Fowler: I intend to publish my White Paper before the end of the year. I have no current plans to include in it any announcement of changes to the criteria or operation of employment training.

HEALTH

Geriatric Beds

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the number of geriatric beds in England in the National Health Service and as a percentage of total beds for 1970, 1979, 1984 and 1988.

Mrs. Currie: The latest information centrally available is given in the table. As from 1 April 1987 the data available centrally on beds are categorised by the type of

ward rather than specialty of the consultant. Wards for elderly patients are included. These data for 1987-88 are not yet available.

Average daily number of available Geriatric beds, National Health Service hospitals, England.

Year	Average daily available beds, Geriatric specialty	Average daily available beds, all specialties	Geriatric beds as a percentage of total beds
[1]1970	37,869	423,621	8·94
1979	55,139	361,670	15·25
1984	55,571	334,513	16·61
1986	54,588	315,714	17·29

[1] Prior to 1972, some beds for geriatric patients would have been shown under another specialty, chronic sick.

NHS (Expenditure)

Mr. Ralph Howell: To ask the Secretary of State for Health (1) if he will state the expenditure on the National Health Service as a percentage of gross domestic product for the years 1960, 1970, 1979, 1983, 1985 and 1988;

(2) if he will state the total National Health Service expenditure for 1960, 1970, 1979, 1983, 1985 and 1988.

Mr. Mellor: The table shows gross expenditure on the NHS in cash terms and as a percentage of GDP for the stated years. Figures for 1960 and 1970 have been taken from the Royal Commission on the National Health Service. Figures for later years are taken from Departmental records which are kept on a financial year basis. Data for 1988-89 are not yet available.

Gross expenditure on the NHS

Year	Expenditure, £ million	Percentage of GDP
1960	861	3·8
1970	2,024	4·7
1979-80	9,501	4·6
1983-84	16,050	5·2
1985-86	18,277	5·1

Doctors (Premature Retirements)

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the number of premature retirements of National Health Service doctors for 1960, 1970, 1979, 1984 and 1988.

Mr. Mellor: We hold only central records of National Health Service staff premature retirements from 1984. Records held since that date show premature retirements by staff group rather than grade or title, and hospital doctors' premature retirements are recorded under the heading "medical and dental" without specific identification.

The numbers of premature retirements for medical and dental staff in England for the financial years since 1984 are as follows:

Financial Year	No. of Premature Retirements
1984-85	40
1985-86	34
1986-87	60
1987-88	60
[1]1988-89	38

[1] First 6 months.

NHS (Staff Numbers)

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the number of persons directly employed as staff in the National Health Service for the whole of the United Kingdom, at the latest available date.

Mr. Mellor: National Health Service directly employed staff in post in England at 30 September 1987 totalled 798,800 whole-time equivalents. Figures for the rest of the United Kingdom are a matter for my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friends the Secretaries of State for Wales and for Northern Ireland.

Source: DHSS Annual censuses of NHS Medical and Non Medical manpower.

Note:
Figure includes (1) Medical and Dental locum staff.
(2) Nursing and Midwifery agency staff and staff employed by other statutory authorities within the National Health Service.

Operating Department Assistants

Mr. Steel: To ask the Secretary of State for Health what representations he has received on the pay and career structure of operating department assistants; and what action he intends to take.

Mr. Mellor: The pay and career structure of operating department assistants are for negotiation in the professional and technical staffs B Whitley council. A settlement was reached on 19 October. Before that we had received numerous letters from hon. and right hon. Members and individual operating department assistants. I understand that the management side has set up a working party to consider reports of difficulties within staff groups covered by negotiating committee E which includes operating department assistants.

Aerosols

Mr. Fry: To ask the Secretary of State for Health what assessment he has made of the danger to health of inhaling from aerosols, and what action he proposes to take to deter young people from indulging in this potentially fatal practice.

Mrs. Currie: The Government have commissioned a study at St. George's hospital medical school to investigate the effects of solvent abuse on secondary school children with particular attention to neuro-psychological consequences. A report will be available shortly.

In addition to the range of measures which have been taken directly in line with the Government's policy of education and persuasion we are currently funding drug education co-ordinators in every local education authority, whose work includes activities aimed at preventing solvent misuse.

Consumer Protection (NHS Liability)

Mrs. Rosie Barnes: To ask the Secretary of State for Health if the liability of the National Health Service under the Consumer Protection Act 1987, as advised to the service by his Department, notice (88)3, will entail significant cost.

Mrs. Currie: The full impact can be assessed only as case law evolves. It is, however, clear that the extent of required change will vary from authority to authority and in some cases may be significant.

Product Licences

Mr. David Nicholson: To ask the Secretary of State for Health whether his Department has ever granted a product licence (parallel import) in respect of a medicine for which a United Kingdom application for a product licence had been refused on the advice of the Committee on Safety of Medicines.

Mr. Mellor: A product licence (parallel import) may be granted only where there is an equivalent product covered by a United Kingdom licence.

Mr. David Nicholson: To ask the Secretary of State for Health to what extent batch integrity is preserved for medicines that are the subject of product licences (parallel imports) in order to facilitate a recall in the event of a manufacturing defect being identified by the foreign manufacturer.

Mr. Mellor: Medicine labels must carry a batch reference and all holders of product and wholesale dealers' licences must keep adequate records to facilitate the withdrawal or recall of a product. A further requirement on a parallel import licence holder is that he must ensure that any batch reference shown on the labelling of the product at the time when it came into his possession shall be readily discernible when the product is sold or supplied by him.

Deficiencies in the records or failure to meet these licence requirements could lead to the suspension or revocation of the licence.

Mr. Dobson: To ask the Secretary of State for Health if he will update to September 1987 the information on waiting lists contained in his reply to the hon. Member for Livingston (Mr. Cook) on 29 February, *Official Report*,

Mr. Mellor: The information requested is given in the table.

Number of cases on in-patient waiting list with ranking of district health authorities-special health authorities by percentage change, September 1982 to September 1987

Health authority	*September 1982*	*September 1987*	*Change 1982-87*	
			number	*per cent.*
Milton Keynes[1]	6	2,030	2,024	33,733·3
Halton	7	123	116	1,657·1
Islington	1,098	2,752	1,654	150·6
Huntingdon	471	1,088	617	131·0
East Surrey	1,257	2,729	1,472	117·1
Hampstead	1,979	3,705	1,726	87·2
Hounslow and Spelthorne	3,127	5,749	2,622	83·9
West Essex	2,555	4,452	1,897	74·2
Bexley	1,123	1,816	693	61·7
Barking, Havering and Brentwood	4,474	7,180	2,706	60·5
Lewisham and North Southwark	5,335	8,443	3,108	58·3
Waltham Forest	3,271	5,140	1,869	57·1
Eastbourne	2,552	3,832	1,280	50·2
Mid Essex	3,246	4,836	1,590	49·0
North Warwickshire	1,944	2,885	941	48·4
Harrogate	1,274	1,889	615	48·3
Dartford and Gravesham	2,916	4,164	1,248	42·8
Moorfields Eye Hospital	1,458	2,075	617	42·3
Maidstone	2,190	3,091	901	41·1
The Royal Marsden Hospital	331	454	123	37·2
West Norfolk and Wisbech	1,688	2,304	616	36·5
Lancaster	1,784	2,422	638	35·8
Hammersmith and Queen Charlotte's	2,167	2,927	760	35·1
Cheltenham	1,782	2,403	621	34·8
Bloomsbury	9,632	12,953	3,321	34·5
Hillingdon	6,009	8,057	2,048	34·1
Kettering	2,848	3,816	968	34·0
West Lambeth	6,038	7,915	1,877	31·1
South East Staffordshire[3]	2,026	2,650	624	30·8
Kidderminster and District	1,070	1,389	319	29·8
Canterbury and Thanet	4,136	5,339	1,203	29·1
Brent	1,737	2,239	502	28·9
The National Hospital for Nervous Diseases	441	566	125	28·3
West Suffolk	2,027	2,596	569	28·1
Rochdale	2,342	2,980	638	27·2
The National Heart and Chest Hospitals	1,073	1,363	290	27·0
West Surrey and North East Hants	3,708	4,703	995	26·8
Airedale	1,686	2,122	436	25·9
Worcester and District	2,651	3,335	684	25·8
Southend	3,248	4,077	829	25·5
City and Hackney	4,586	5,722	1,136	24·8
Redbridge	1,719	2,094	375	21·8
The Bethlem Royal Maudsley Hospitals	128	154	26	20·3
Herefordshire	2,272	2,732	460	20·2
West Dorset	2,015	2,408	393	19·5
South West Durham	803	959	156	19·4
Leeds Western	4,330	5,144	814	18·8
St. Helens and Knowsley	3,288	3,882	594	18·1

Health authority	September 1982	September 1987	Change 1982-87 number	Change 1982-87 per cent.
West Berkshire	3,256	3,824	568	17·4
Mid Downs	2,621	3,058	437	16·7
North West Surrey	2,315	2,697	382	16·5
Southport and Formby	1,373	1,585	212	15·4
Central Manchester	5,358	6,180	822	15·3
Peterborough	3,770	4,334	564	15·0
Salisbury	4,770	5,410	640	13·4
Chorley and South Ribble	651	731	80	12·3
Wolverhampton	3,677	4,111	434	11·8
South West Surrey	2,385	2,665	280	11·7
Isle of Wight	1,349	1,504	155	11·5
Bromsgrove and Redditch	1,475	1,642	167	11·3
South Bedfordshire	2,382	2,622	240	10·1
Winchester	2,309	2,531	222	9·6
Bromley	1,931	2,113	182	9·4
Ealing	1,489	1,613	124	8·3
Bradford	6,663	7,214	551	8·3
Bristol and Weston	7,142	7,708	566	7·9
Portsmouth and South East Hampshire	6,831	7,306	475	7·0
Bassetlaw	1,185	1,267	82	6·9
Sandwell	1,721	1,840	119	6·9
Northallerton	623	660	37	5·9
Brighton	3,863	4,083	220	5·7
East Suffolk	3,097	3,267	170	5·5
Leeds Eastern	6,169	6,505	336	5·4
South Birmingham	6,878	7,246	368	5·4
Hull	7,050	7,349	299	4·2
Swindon	2,825	2,944	119	4·2
East Cumbria	3,323	3,459	136	4·1
Hastings	2,547	2,621	74	2·9
South Warwickshire	3,194	3,281	87	2·7
Leicestershire	7,177	7,293	116	1·6
Shropshire	8,441	8,520	79	0·9
East Dorset	4,361	4,400	39	0·9
Trafford	1,301	1,307	6	0·5
Greenwich	2,362	2,370	8	0·3
North Staffordshire	8,862	8,780	−82	−0·9
West Birmingham	4,269	4,221	−48	−1·1
The Hospital for Sick Children	1,456	1,437	−19	−1·3
Chester	2,940	2,879	−61	−2·1
Paddington and North Kensington	2,813	2,744	−69	−2·5
Preston	5,287	5,125	−162	−3·1
Tower Hamlets	6,003	5,763	−240	−4·0
Liverpool	8,553	8,197	−356	−4·2
Blackpool, Wyre and Fylde	4,117	3,910	−207	−5·0
Somerset	4,949	4,700	−249	−5·0
Bolton	3,348	3,176	−172	−5·1
Wigan	4,677	4,419	−258	−5·5
Northumberland	1,896	1,789	−107	−5·6
Rotherham	3,871	3,629	−242	−6·3
North Hertfordshire	3,155	2,956	−199	−6·3
North Devon	1,558	1,456	−102	−6·5
Blackburn, Hyndburn and Ribble Valley	3,294	3,073	−221	−6·7
Enfield	3,068	2,857	−211	−6·9
South West Hertfordshire	1,986	1,841	−145	−7·3
Plymouth	5,897	5,462	−435	−7·4
Darlington	3,140	2,874	−266	−8·5
East Berkshire	8,244	7,534	−710	−8·6
North East Essex	3,510	3,206	−304	−8·7
York	2,710	2,470	−240	−8·9
Greater Yarmouth and Waveney	4,194	3,776	−418	−10·0
West Lancashire	2,433	2,189	−244	−10·0
Basildon and Thurrock	5,888	5,296	−592	−10·1
Southampton and South West Hampshire	9,080	8,062	−1018	−11·2
Wycombe	1,134	1,006	−128	−11·3
Riverside	5,888	5,204	−684	−11·6
Torbay	2,368	2,089	−279	−11·8
Stockport	4,430	3,906	−524	−11·8
Oxfordshire	7,003	6,148	−855	−12·2
Mid Surrey	2,150	1,843	−307	−14·3
Scarborough	2,200	1,883	−317	−14·4
South Manchester	8,120	6,942	−1,178	−14·5
Durham	1,489	1,259	−230	−15·4
Calderdale	1,166	980	−186	−16·0
Gloucester	4,959	4,155	−804	−16·2
Rugby	864	723	−141	−16·3
Exeter	4,436	3,678	−758	−17·1

Health authority	September 1982	September 1987	Change 1982-87 number	Change 1982-87 per cent.
Oldham	5,071	4,171	−900	−17·7
Richmond, Twickenham and Roehampton	2,313	1,901	−412	−17·8
Medway	3,273	2,636	−637	−19·5
Salford	5,371	4,322	−1,049	−19·5
Chichester	2,786	2,234	−552	−19·8
North Derbyshire	3,511	2,787	−724	−20·6
Harrow	1,370	1,081	−289	−21·1
Cornwall and Isles of Scilly	5,238	4,132	−1,106	−21·1
North Lincolnshire	4,129	3,245	−884	−21·4
Wirral	4,714	3,685	−1,029	−21·8
Kingston and Esher	3,194	2,491	−703	−22·0
Wakefield	3,216	2,507	−709	−22·0
Crewe	5,128	3,983	−1,145	−22·3
Pontefract	2,569	1,989	−580	−22·6
Norwich	10,980	8,480	−2,500	−22·8
Cambridge	6,708	5,115	−1,593	−23·7
Southern Derbyshire	6,322	4,796	−1,526	−24·1
Sunderland	4,889	3,707	−1,182	−24·2
South Tyneside	1,047	792	−255	−24·4
Worthing	3,756	2,809	−947	−25·2
Barnet	3,628	2,700	−928	−25·6
East Yorkshire	1,924	1,426	−498	−25·9
Doncaster	6,132	4,473	−1,659	−27·1
Gateshead	1,661	1,208	−453	−27·3
South Lincolnshire	4,428	3,209	−1,219	−27·5
Merton and Sutton	3,639	2,637	−1,002	−27·5
Sheffield	14,678	10,504	−4,174	−28·4
Central Nottinghamshire	7,154	5,118	−2,036	−28·5
Basingstoke and North Hampshire	3,698	2,615	−1,083	−29·3
Croydon	3,093	2,178	−915	−29·6
Newcastle	11,524	8,041	−3,483	−30·2
South East Kent	3,946	2,752	−1,194	−30·3
South Cumbria	1,152	803	−349	−30·3
Mid Staffordshire	2,440	1,692	−748	−30·7
Wandsworth	3,239	2,240	−999	−30·8
Warrington	3,037	2,093	−944	−31·1
Walsall	3,324	2,219	−1,105	−33·2
West Cumbria	1,870	1,240	−630	−33·7
Dudley	5,441	3,465	−1,976	−36·3
Barnsley	3,934	2,503	−1,431	−36·4
Bury	979	616	−363	−37·1
Tameside and Glossop	2,866	1,800	−1,066	−37·2
West Wiltshire and Bath	8,079	5,037	−3,042	−37·7
Hartlepool	1,841	1,135	−706	−38·3
Tunbridge Wells	6,220	3,790	−2,430	−39·1
North Manchester	4,726	2,857	−1,869	−39·5
Solihull	2,278	1,359	−919	−40·3
Central Birmingham	7,635	4,453	−3,182	−41·7
North West Durham	1,325	759	−566	−42·7
North Tyneside	1,721	984	−737	−42·8
Coventry	8,759	4,999	−3,760	−42·9
North Bedfordshire	2,657	1,485	−1,172	−44·1
Burnley, Pendle and Rossendale	3,542	1,973	−1,569	−44·3
Aylesbury Vale[1]	6,450	3,541	−2,909	−45·1
Camberwell	3,388	1,829	−1,559	−46·0
Southmead	2,958	1,560	−1,398	−47·3
Huddersfield	3,308	1,728	−1,580	−47·8
Scunthorpe	4,609	2,367	−2,242	−48·6
East Birmingham	4,600	2,353	−2,247	−48·8
Nottingham	10,988	5,618	−5,370	−48·9
Northampton	6,793	3,444	−3,349	−49·3
South Sefton	6,332	3,206	−3,126	−49·4
South Tees	10,319	5,075	−5,244	−50·8
Newham	2,222	1,057	−1,165	−52·4
Frenchay	5,855	2,751	−3,104	−53·0
North West Hertfordshire	2,697	1,196	−1,501	−55·7
East Hertfordshire	1,847	786	−1,061	−57·4
Haringey	1,708	722	−986	−57·7
Grimsby	2,355	980	−1,375	−58·4
North Tees	1,958	814	−1,144	−58·4
Dewsbury	1,181	476	−705	−59·7
North Birmingham[3]	2,723	1,070	−1,653	−60·7
Macclesfield	2,302	612	−1,690	−73·4
The Eastman Dental Hospital[4]	..	169	n/a	n/a

[1]The waiting list for Milton Keynes was formerly held by Aylesbury Vale Health Authority but was taken over by Milton Keynes Health Authority in 1984 following the development of Milton Keynes General Hospital. The table shows a comparable reduction in the Aylesbury

Vale figures.
[2]The waiting list figures for March 1987 are affected by the transfer of Black Notley Hospital from the North East Essex District to Mid Essex DHA on 1 April 1986.
[3]Five hospitals were transferred from North Birmingham DHA to South East Staffordshire DHA in 1986.
[4]In September 1982 the data for The Eastman Dental Hospital was collected by another unit.

Mr. Dobson: To ask the Secretary of State for Health if, in future, he will include national tables in the summary volume of hospital in-patient waiting lists; and if he will place such tables relating to September 1987 in the Library.

Mr. Mellor: National figures are published in statistical bulletins. The bulletin for September 1987 was published on 27 April 1988 and that for March 1988 on 26 October 1988. Copies were placed in the Library.

Mr. Dobson: To ask the Secretary of State for Health if he will place in the Library the national, regional and district summaries for the hospital in-patient waiting list for March 1988.

Mr. Mellor: I refer the hon. Member to my reply to him on 3 November at column *753*.

Griffiths Report

Mr. Hannam: To ask the Secretary of State for Health what consultations he has had with *(a)* voluntary organisations and *(b)* local authorities when formulating his Department's response to the Griffiths report.

Mr. Mellor: We have not held any formal consultations, but we are taking careful account of responses to the report from a number of local authorities and voluntary bodies in framing our own proposals.

Mr. Baldry: To ask the Secretary of State for Health what representations he has received since July on the implementation of the Griffiths report.

Mr. Mellor *[holding answer 4 November 1988]:* We have received a further 40 representations in this period.

Pharmacies

Mr. French: To ask the Secretary of State for Health (1) if he has any plans to allow the location of pharmacies to be guided by customer demand; and if he will make a statement;

(2) if he has any plans to allow more competition between pharmacies;

(3) if he has any plans to review the operation of the guidelines contained in his Department's circular HC (FP) (87) 2 regarding the location of pharmacies; and if he will make a statement.

Mr. Mellor: We have no plans at present to change the arrangements which we introduced last year for controlling the inclusion of pharmacies in National Health Service pharmaceutical lists. These are intended to provide a means of matching the number of NHS pharmacies with local needs. However we are satisfied that it would be helpful to offer some additional advice to family practitioner committees on the way in which the arrangements are intended to operate. Consultations are being held with interested parties and we hope to issue additional guidance before Christmas.

Audiology

Mr. Blunkett: To ask the Secretary of State for Health if he will give the most recent figures for vacancy rates by grade and by region in audiology within the National Health Service; what action he proposes to take in the event of a significant shortfall; and if he will make a statement.

Mr. Mellor: I presume the hon. Member refers to physiological measurement technicians (audiology). Information on vacancy rates is not collected centrally. It is for health authorities to decide what action to take in the event of a shortfall in numbers.

OPCS (Costs)

Mr. Boswell: To ask the Secretary of State for Health if he has any changes to announce to the running cost limit for the Office of Population Censuses and Surveys for 1988-89.

Mrs. Currie: Subject to parliamentary approval of the necessary Supplementary Estimate, the gross running cost limit for OPCS (Class XX Vote 16) will be increased by £44,000 from £38,052,000 to £38,096,000 reflecting increased expenditure by OPCS on services provided to the Department of Economic Development (Northern Ireland) and the Department of Health (Northern Ireland). The Northern Ireland departmental gross running costs limit will be correspondingly reduced by £44,000. There is no overall increase in running costs as a result of these changes. The Secretary of State for Northern Ireland will make an announcement in due course.

NHS Expenditure

Mr. Andrew Smith: To ask the Secretary of State for Health what is the number of people entitled to help with National Health Service costs nationally; what is the total expenditure on National Health Service benefits nationally; how many qualify for *(a)* full help, that is free treatment and *(b)* partial help towards these costs; and of those receiving full help, how many are entitled on low income grounds, other than income support or family credit claimants, rather than on age, illness or pregnancy grounds, giving figures for the latest quarter for which they are available and for the corresponding quarter in 1987.

Mrs. Currie *[holding answer 3 November 1988]:* The information which is available is as follows:

We estimate that over 18 million people in England are automatically entitled to free dental treatment, and around 27 million people to free prescriptions. We are unable to estimate the numbers entitled to claim free dental treatment and prescriptions or some help with the cost of dental treatment because of their low income.

The cost of providing free or reduced cost dental treatment in 1987-88 was £73·5 million. We estimate that the cost of providing free prescriptions in the same year was over £500 million. Of the 13·9 million courses of dental treatment provided free of charge in 1986-87 (the latest year for which figures relating to dental treatment are available) 121,000 were provided to people who claimed help on low-income grounds. A total of 250 million prescriptions were dispensed free of charge by pharmacists

over the same period. Of these, 37 million prescriptions were dispensed to people who either claim help on low-income grounds or were receiving supplementary or family income supplement but it is not possible to distinguish between the categories. For 1987-88, the figures are 264 million and 40 million prescriptions respectively.

Benzodiazepines

Ms. Primarolo: To ask the Secretary of State for Health what steps he is taking or contemplating to reduce the number of people currently taking benzodiazepines; and what advice is available to doctors about the best methods of withdrawing from them.

Mrs. Currie *[holding answer 4 November 1988]:* It is the responsibility of individual doctors to ensure that they prescribe appropriately for their patients. We welcome the guidance to doctors issued recently by the Royal College of General Practitioners, and the general medical services committee of the British Medical Association. The chief medical officer will shortly meet the leaders of the medical profession to discuss benzodiazepine prescribing and we will consider what further action may be needed after that meeting.

Advice to doctors on the withdrawal of patients from benzodiazepines was included in the Department's "Guidelines of Good Clinical Practice in the Treatment of Drug Misuse" issued to all doctors in 1984. Guidance is also given in the British National Formulary supplied free to all doctors twice yearly by the Department. The Committee on Safety of Medicines reinforced prescribing advice in "Current Problems No. 21" issued in January 1988. This advised that benzodiazepines should be prescribed for short-term use only for anxiety and insomnia and not for depression and also advised about withdrawal symptoms. All doctors should therefore have the basic information they need to help patients withdraw gradually under medical supervision.

Ms. Primarolo: To ask the Secretary of State for Health what is his estimate of the number of people in Great Britain and Northern Ireland currently taking benzodiazepine tranquillisers and sleeping tablets on a daily basis.

Mrs. Currie *[holding answer 4 November 1988]:* We do not collect information centrally about patients and their drugs. I refer the hon. Member to my reply to my hon. Friend the Member for Devon, North (Mr. Speller) on 31 October at column *487*.

Patient Treatment

Mr. Galbraith: To ask the Secretary of State for Health (1) if he will give for each district health authority the number of non-resident, non-emergency patients who have failed to pay for their treatment in each year since 1980, showing the total cost to the National Health Service;

(2) if he will give for each health authority for each year since 1980 *(a)* the total cost of treating non-resident, non-emergency patients and *(b)* the amount paid by non-resident, non-emergency patients.

Mr. Mellor: Under the National Health Service (Charges to Overseas Visitors) Regulations, patients not ordinarily resident in the United Kingdom have to pay for hospital treatment unless they are specifically exempted. One exemption applies to treatment in a hospital accident and emergency department. We do not collect the precise information requested, but the table sets out such information, for England, as is derivable from the health authority annual accounts about income and bad debts relating to overseas visitors who are liable to pay.

Income from overseas visitors (under section 121 of the NHS Act 1977)

	£000
1982-83	381
1983-84	1,598
1984-85	1,810
1985-86	2,2276
1986-87	1,809

Bad debts and claims abandoned (ie amounts written off) section 121 of the NHS Act 1977

	Number of cases	£000
1985-86	445	168
1986-87	607	343

Notes to the table:

1. Charges under section 121 of the Act did not come into force until 1 October 1982 and separate write-off figures were not collected prior to 1985-86.
2. The income figures are shown net of any sums written off in the relevant year (including those due from earlier years).
3. Comparable figures for 1987-88 are not as yet available.
4. The table relates only to NHS charged patients and excludes overseas visitors treated as private patients.

TRANSPORT

Hazardous Material

Dr. Dafydd Elis Thomas: To ask the Secretary of State for Transport what studies have been undertaken or commissioned by his Department into the development of new transfrontier control mechanisms for dangerous and radioactive materials with the advent of the single European market in 1992.

Mr. Portillo: The aim in 1992 will be to reduce frontier controls, not increase them. The safety regulations which cover the movement of dangerous and radioactive materials do not depend on frontier checks.

Channel Tunnel

Mr. Rowe: To ask the Secretary of State for Transport if he has any plans to meet the National Farmers Union to discuss the route of a proposed high speed railway line to the Channel tunnel and its implications for agriculture.

Mr. Portillo: No. It is for the British Railways Board, in conjunction with any private sector partners who may put themselves forward, to plan the route of a new high speed railway line, taking account of all relevant factors. I understand, however, that the Ministry of Agriculture, Fisheries and Food is undertaking a broad examination of the effects of BR's proposals on agriculture.

Mr. Rowe: To ask the Secretary of State for Transport whether he has any plans to modify the financial constraints on British Rail to take account of the environmental impact of the proposed high speed rail link to the Channel tunnel.

Mr. Portillo: No. I do not expect the British Railways Board to put forward any proposals for a new line which do not earn a commercial return. Nevertheless, I do expect the board to be extremely sensitive to environmental concerns in developing a proposal which meets this criterion.

London Underground (Fires)

Mr. Robert Hughes: To ask the Secretary of State for Transport how many sites of fires on London Underground escalators have been discovered in investigations following the King's Cross fire.

Mr. Portillo: Since the King's Cross fire, seven fires in escalators of London Underground have been reported. The discovery of the site of a previous fire is not a statutorily reportable incident and none has been discovered during inspections by the Railway Inspectorate.

Mr. Robert Hughes: To ask the Secretary of State for Transport how many fires on London Underground escalators have been reported in each of the last 10 years.

Mr. Portillo: LUL has reported the following numbers of fires during the last 10 years which occurred on escalators below ground and caused an interruption of more than 30 minutes to the service:

Up to 30 September

Year	*Number*
1978	0
1979	0
1980	1
1981	0
1982	0
1983	2
1984	0
1985	3
1986	1
1987	3
1988	7

East London River Crossing

Mr. Cartwright: To ask the Secretary of State for Transport what legal action is being taken against him by the London borough of Greenwich over the east London river crossing; what effect it is likely to have on the timetable of the road scheme; and if he will make a statement.

Mr. Channon: An application has been made to the High Court to quash the orders. The effect on the timetable would depend on the outcome of the proceedings.

Air Traffic Control

Mr. Sheerman: To ask the Secretary of State for Transport what steps he is taking to diminish air traffic control delays in the United Kingdom.

Mr. Bottomley: My right hon. Friend the Secretary of State has asked the Civil Aviation Authority, which is jointly responsible with the Ministry of Defence through the National Air Traffic Services for the provision of en route air traffic control services in United Kingdom, for advice by the end of this month on strategies for making good use of airspace until the full benefits of the authority's reorganisation of the London terminal control area become available in 1995.

The United Kingdom has made a series of proposals for improving the planning, co-ordination and operation of air traffic control services in Europe. These have received wide support from the members of Eurocontrol and at a meeting last month of Transport Ministers from 22 European countries.

Mr. Sheerman: To ask the Secretary of State for Transport what are the projected manpower needs, and skills shortages, affecting air traffic controllers in the next five years.

Mr. Peter Bottomley: This is a matter for the Civil Aviation Authority and the management of the National Air Traffic Services.

Mr. Sheerman: To ask the Secretary of State for Transport what are the average lengths of delays to *(a)* short-haul and *(b)* long-haul services caused by air traffic control problems at British airports.

Mr. Peter Bottomley: The hon. Member could ask the chairman of the Civil Aviation Authority. The authority has done some analysis of air traffic delays in recent years in collaboration with other European air traffic control authorities.

Mr. Sheerman: To ask the Secretary of State for Transport what measures he is taking to ensure that problems caused by delays in air traffic control are solved before 1989's peak holiday season.

Mr. Peter Bottomley: My right hon. Friend the Secretary of State is today chairing a conference of representatives of the Civil Aviation Authority and the aviation industry to analyse the congestion problems of the summer and to discuss all possible ways of improving matters in 1989 and in the years beyond.

Mr. Sheerman: To ask the Secretary of State for Transport what have been the costs to British air carriers incurred by air traffic control delays in each of the last five years.

Mr. Peter Bottomley: This information is not readily available.

"Road Safety: The Next Steps"

Mr. Sheerman: To ask the Secretary of State for Transport if his Department has prepared a schedule for the implementation of the recommendations affecting the national roads programme made in the Government's policy document, "Road Safety: The Next Steps."

Mr. Peter Bottomley: The value attached to human life in the economic assessment of schemes has been increased. The emphasis given to safety audits and assessments is being enhanced.

Mr. Sheerman: To ask the Secretary of State for Transport what percentage increase in resources spent on low-cost schemes arising from accident investigation and prevention work will be necessary to implement more work of this kind on trunk roads, as recommended by the Government's policy document, "Road Safety: The Next Steps."

Mr. Peter Bottomley: "Road Safety: The Next Steps" did not make a specific recommendation on the number of low cost AIP schemes.

Light Dues

Sir David Price: To ask the Secretary of State for Transport what plans he has for reforming the system of light dues.

Mr. Channon: I am today publishing the report of a working party which recommends changes in the existing light dues regulations. The report and its recommendations should be seen in the context of the Government's overall policy that, so far as is practicable, the user should meet the costs of the aids to navigation provided by the general lighthouse authorities. I believe that the reform of the light dues system is long overdue.It has remained substantially unaltered since 1898 and inevitably fails to reflect the changes in the patterns of seaborne trade and in ship design in the intervening years. I see the recommendations of the working party as a balanced set of proposals which, after many years of prolonged debate, would remove some of the more obvious anomalies.

The main recommendations in the report are that deck cargo charges should no longer be levied, that a standard single tariff should be adopted for both home and foreign trade ships based on a maximum of nine chargeable voyages a year (in place of the present limits of seven foreign trade voyages and 14 home trade voyages); and that gross tonnage should replace net tonnage as the basis of the charge. I am inviting comments from the industry and others concerned on the recommendations of the working party. My present view, however, is that both the main recommendations and the majority of the recommendations of less significance in the report should be implemented and brought into effect from 1 April 1989. Since the main changes proposed would have widely varying effects on individual ships, I am inviting views on whether there should be a phased transition over a three-year period. In addition, shipowners would have the option to pay light dues on no more than two voyages a month. I also hope to be able to introduce a general reduction in light dues simultaneously with these reforms.

In addition, I am inviting comments on the possibility of increasing the at present limited contribution which Ro-Ro ferries make towards light dues.

Besides these actions flowing from the report of the working party, I am inviting the British Ports Federation to undertake a study on the feasibility of charging light dues to pleasure craft.

Unlicensed Vehicles

Mr. Tony Banks: To ask the Secretary of State for Transport (1) what information he has regarding the number of unlicensed vehicles reported in the London borough of Newham in the past three years; and if he will make a statement;

(2) if, pursuant to his answer of 1 November he will give details of the form in which records are kept of unlicensed vehicles in London; and if he will make a statement.

Mr. Peter Bottomley: Reports of vehicle excise duty evasion in London are followed up by the Department's London enforcement office. LEO keeps records of total reports submitted by the Metropolitan police, the City of London police and the London traffic area office. There is no useful VED enforcement purpose served in associating the regular figures of reports with London borough areas. The only figures for boroughs are those arising from the 1988 London campaign. I refer the hon. Member to my reply of 8 July, at column 143.

The only record of unlicensed vehicles is within the DVLC register of vehicles and keepers. Unlicensed vehicles are those off the road permanently or temporarily and those in dealers' hands, as well as those evading VED. Analysis by local government area serves no VED enforcement purpose. No record exists for Newham.

ENVIRONMENT

Waste (Recycling)

Mr. Steel: To ask the Secretary of State for the Enironment if he will make a statement on the provision of direct financial support to local authorities to set up the efficient collection and recycling of all domestic and industrial waste.

Mrs. Virginia Bottomley: In cases where the most efficient method of disposal for certain types of refuse is by recycling or reclamation, it is up to local authorities to allocate the appropriate resources and to work with the relevant sectors of industry to ensure suitable uses for recycled and reclaimed material. The Government believe that local authority resources are sufficient to enable them to carry out their statutory duties, inlcluding refuse disposal.

County Councils

Mr. Ralph Howell: To ask the Secretary of State for the Enironment if he will state the number of persons and whole-time equivalents employed by each county council for March 1979, March 1988 and projected March 1989; and if he will also give the overall totals for the United Kingdom for each of these years.

Mrs. Virginia Bottomley: The information is as follows:

Numbers of persons employed in general services[2]

Non-Met Counties	*March 1979*			*March 1988*		
	Full-time	*Part-time*	*Total Staff*	*Full-time*	*Part-time*	*Total Staff*
Avon	18,507	16,973	35,480	18,155	17,860	36,015
Bedfordshire	11,367	9,621	20,988	9,723	10,565	20,288
Berkshire	12,341	12,971	25,312	12,621	11,653	24,274
Buckinghamshire	9,948	10,632	20,580	10,317	11,928	22,245
Cambridgeshire	11,144	9,919	21,063	11,396	11,310	22,706
Cheshire	20,804	17,939	38,743	18,471	19,352	37,823
Cleveland	15,527	9,614	25,141	14,236	13,330	27,566
Cornwall and Scilly	8,655	5,847	14,502	7,968	7,405	15,373
Cumbria	11,198	8,446	19,644	10,305	9,613	19,918

Non-Met Counties	March 1979 Full-time	March 1979 Part-time	March 1979 Total Staff	March 1988 Full-time	March 1988 Part-time	March 1988 Total Staff
Derbyshire	18,480	17,355	35,835	19,703	24,442	44,145
Devon	19,074	14,062	33,136	17,503	15,522	33,025
Dorset	10,861	8,360	19,221	10,015	9,884	19,899
Durham	16,118	8,769	24,887	14,447	9,480	23,927
East Sussex	12,026	11,995	24,021	11,498	11,023	22,521
Essex	26,088	27,036	53,124	23,769	29,331	53,100
Gloucestershire	10,668	8,816	19,484	9,666	8,238	17,904
Hampshire	27,453	26,534	53,987	24,854	28,510	53,364
Hereford and Worcester	12,299	10,176	22,475	11,538	8,601	20,139
Hertfordshire	19,599	19,042	38,641	17,476	20,153	37,629
Humberside	19,267	16,194	35,461	18,556	19,949	38,505
Isle of Wight	2,481	2,015	4,496	2,425	1,709	4,134
Kent	27,672	25,820	53,492	24,061	20,528	44,589
Lancashire	29,415	22,426	51,841	29,184	25,202	54,386
Leicestershire	18,883	12,374	31,257	18,342	16,736	35,078
Lincolnshire	11,095	9,364	20,459	9,455	7,537	16,992
Norfolk	12,814	10,419	23,233	11,469	12,627	24,096
Northamptonshire	[1]	[1]	[1]	10,197	11,614	21,811
Northumberland	7,438	4,569	11,999	6,596	5,467	12,063
North Yorkshire	12,861	11,962	24,823	11,834	13,511	25,345
Nottinghamshire	22,856	15,604	38,460	22,273	18,637	40,910
Oxfordshire	9,953	9,876	19,829	9,331	9,780	19,111
Shropshire	7,828	6,392	14,220	7,218	7,666	14,884
Somerset	7,743	7,927	15,670	8,029	9,300	17,329
Staffordshire	22,176	17,796	39,972	19,850	19,879	39,729
Suffolk	10,033	10,632	20,665	9,649	11,994	21,643
Surrey	17,581	16,284	33,865	14,437	13,126	27,563
Warwickshire	9,123	9,295	18,418	8,179	10,244	18,423
West Sussex	9,940	11,744	21,684	9,787	11,922	21,709
Wiltshire	9,792	9,815	19,607	9,164	11,975	21,139
Totals						
English Non-Met Counties	570,225	493,464	1,063,689	533,697	537,603	1,071,300
All English Authorities	1,460,594	882,065	2,282,659	1,373,068	966,442	2,339,510
(Full-time Equivalent)			(1,803,988)			(1,749,809)

[1] Data not available.
[2] Excludes law and order services.

Full-time equivalent numbers are not collected centrally at individual authority level. They are estimated at the aggregate level by applying national factors to broad groups of employees. Manpower projections are not made for future years. Local authority manpower statistics for Wales, Scotland and Northern Ireland respectively are the responsibilities of my right hon. Friends the Secretaries of State for Wales, Scotland and Northern Ireland.

Global Sustainable Development

Mr. Michael Brown: To ask the Secretary of State for the Environment how his Department's policies, programmes and expenditure are being redirected towards global sustainable development.

Mr. Ridley: The Government's response to the report of the World Commission on Environment and Development, issued by my Department in July, explained what we are doing to promote the concept of sustainable development. As the Prime Minister's foreword pointed out, all relevant Departments of State have been invited to examine their policies in the light of the World Commission's recommendations. Global issues require action by the international community as a whole and my Department, in collaboration with others, is taking a leading role in international organisations such as the United Nations and OECD to ensure that sustainable development is integrated into all their activities.

Housing Investment Programmes

Mr. Pike: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a list of the housing investment programme allocations for each housing authority in *(a)* 1979-80 and *(b)* 1988-89 in constant terms.

Mr. Trippier: Allocations for 1979-80 at 1988-89 prices and the latest allocations for 1988-89 are as follows. The 1988-89 figures are provisional since additional sums—principally for Estate Action schemes—are yet to be allocated.

Since 1981-82, local authorities have been able to supplement their allocations by expenditure financed from capital receipts. Nationally over half of local authorities' capital expenditure in 1988-89 is expected to be financed in this way.

Local authorities total housing investment programme capital allocations
£ thousands; 1979-80 and 1988-89 at constant 1988-89 prices

Local authority	Allocation 1979-80	Allocation 1988-89 provisional
North excluding Cumbria		
Hartlepool	11,391	4,083
Langbaurgh-on-Tees	17,743	3,758
Middlesbrough	26,903	6,528
Stockton-on-Tees	12,508	2,851
Chester-le-Street	3,879	827
Darlington	7,228	1,538
Derwentside	8,935	2,018
Durham	5,127	1,718
Easington	14,236	3,461
Sedgefield	11,079	2,351
Teesdale	1,771	644
Wear Valley	5,985	1,266

Local authority	Allocation 1979-80	Allocation 1988-89 provisional
Alnwick	3,830	834
Berwick-upon-Tweed	2,549	667
Blyth Valley	9,678	1,747
Castle Morpeth	8,295	1,014
Tynedale	3,659	820
Wansbeck	5,825	1,278
Gateshead	23,529	5,914
Newcastle upon Tyne	39,722	9,482
North Tyneside	30,237	5,442
South Tyneside	26,796	5,615
Sunderland	20,926	5,210
Yorkshire and Humberside		
Beverley	4,159	690
Boothferry	3,024	576
Cleethorpes	4,536	655
Glanford	3,508	561
Great Grimsby	7,635	1,689
Holderness	2,368	406
Kingston upon Hull	36,526	10,810
East Yorkshire	4,965	627
Scunthorpe	10,282	939
Craven	2,567	452
Hambleton	3,054	519
Harrogate	4,422	965
Richmondshire	2,442	393
Ryedale	2,967	541
Scarborough	2,791	834
Selby	5,338	727
York	5,950	1,770
Barnsley	19,411	6,247
Doncaster	30,356	5,994
Rotherham	28,852	5,249
Sheffield	46,045	22,001
Bradford	43,465	13,216
Calderdale	12,907	3,260
Kirklees	24,151	8,978
Leeds	60,356	20,385
Wakefield	30,929	7,252
East Midlands		
Amber Valley	5,064	1,504
Bolsover	4,666	1,063
Chesterfield	6,489	1,909
Derby	17,555	5,483
Erewash	8,198	1,371
High Peak	4,457	1,557
North East Derbyshire	8,389	1,691
South Derbyshire	5,592	949
Derbyshire Dales	4,288	908
Blaby	1,735	395
Charnwood	9,517	1,408
Harborough	3,508	682
Hinckley and Bosworth	3,567	821
Leicester	38,293	11,535
Melton	1,946	533
North West Leicestershire	4,737	1,182
Oadby and Wigston	1,179	599
Rutland	1,011	351
Boston	2,955	727
East Lindsey	3,058	1,410
Lincoln	4,103	1,278
North Kesteven	4,679	983
South Holland	2,133	1,343
South Kesteven	5,720	1,586
West Lindsey	3,118	925
Corby	3,030	656
Daventry	1,668	554
East Northamptonshire	2,569	666
Kettering	5,633	1,092
Northampton	11,631	1,889
South Northamptonshire	1,739	518
Wellingborough	5,480	690
Ashfield	9,646	1,244
Bassetlaw	10,070	1,175
Broxtowe	11,081	986
Gedling	8,215	1,471
Mansfield	14,062	2,210
Newark and Sherwood	4,381	1,204
Nottingham	46,049	10,025
Rushcliffe	7,073	996
North West including Cumbria		
Allerdale	10,133	2,088
Barrow-in-Furness	4,284	1,419
Carlisle	7,722	1,903
Copeland	6,480	1,210
Eden	2,011	544
South Lakeland	3,377	1,001
Chester	3,496	1,668
Congleton	4,196	592
Crewe and Nantwich	6,957	1,484
Ellesmere Port and Neston	3,564	1,032
Halton	8,321	1,683
Macclesfield	6,558	1,445
Vale Royal	4,125	1,026
Warrington	11,956	2,378
Blackburn	17,484	5,726
Blackpool	7,870	1,831
Burnley	10,458	2,713
Chorley	4,633	1,499
Fylde	1,140	678
Hyndburn	4,455	3,194
Lancaster	4,192	2,396
Pendle	6,303	2,484
Preston	6,646	2,705
Ribble Valley	2,929	591
Rossendale	4,858	3,386
South Ribble	6,262	988
West Lancashire	3,784	1,385
Wyre	2,450	796
Bolton	26,162	8,942
Bury	12,077	2,783
Manchester	120,934	26,819
Oldham	35,612	6,798
Rochdale	23,083	9,815
Salford	56,490	15,402
Stockport	13,676	5,090
Tameside	26,044	6,171
Trafford	11,297	2,872
Wigan	32,009	6,692
Knowsley	8,361	5,006
Liverpool	79,165	20,328
St. Helens	13,587	3,736
Sefton	13,342	4,381
Wirral	17,630	7,190
Eastern		
North Bedfordshire	10,417	2,303
Luton	10,131	2,861
Mid Bedfordshire	5,709	1,102
South Bedfordshire	7,497	897
Cambridge	6,982	2,359
East Cambridgeshire	2,222	906
Fenland	2,856	856
Huntingdonshire	6,439	1,909
Peterborough	7,049	2,171
South Cambridgeshire	3,478	1,215

Local authority	Allocation 1979-80	Allocation 1988-89 provisional
Aylesbury Vale	10,058	1,747
South Bucks	2,759	847
Chiltern	4,267	715
Milton Keynes	3,877	2,005
Wycombe	8,362	1,810
Basildon	11,407	1,505
Braintree	5,730	1,624
Brentwood	2,215	557
Castle Point	1,116	561
Chelmsford	5,601	1,685
Colchester	7,551	1,840
Epping Forest	8,594	1,943
Harlow	5,207	1,016
Maldon	2,528	669
Rochford	4,849	917
Southend-on-Sea	8,972	1,914
Tendring	5,025	1,965
Thurrock	6,730	2,044
Uttlesford	2,789	844
Broxbourne	5,618	1,325
Dacorum	9,329	1,152
East Hertfordshire	5,099	1,755
Hertsmere	4,513	1,268
North Hertfordshire	7,782	1,360
St. Albans	7,148	1,505
Stevenage	6,702	1,383
Three Rivers	2,705	1,365
Watford	5,386	1,282
Welwyn Hatfield	8,905	1,449
Breckland	4,340	1,817
Broadland	4,032	1,417
Great Yarmouth	5,067	1,415
North Norfolk	5,028	1,509
Norwich	18,441	4,606
South Norfolk	3,189	1,342
Kings Lynn and West Norfolk	5,866	1,953
Babergh	2,181	1,042
Forest Heath	2,847	585
Ipswich	10,101	3,877
Mid Suffolk	3,071	1,506
St. Edmundsbury	3,711	915
Suffolk Coastal	3,457	1,215
Waveney	6,763	1,817
Greater London		
Greater London Council	393,385	..
City of London	1,317	281
Barking and Dagenham	10,182	3,890
Barnet	22,400	4,852
Bexley	10,331	2,750
Brent	58,540	21,225
Bromley	18,154	4,409
Camden	107,828	24,937
Croydon	17,016	5,011
Ealing	33,994	12,156
Enfield	22,218	4,217
Greenwich	48,370	19,694
Hackney	56,607	29,425
Hammersmith and Fulham	45,053	15,734
Haringey	58,734	24,206
Harrow	12,333	3,437
Havering	7,928	3,680
Hillingdon	29,156	4,736
Hounslow	26,358	6,798
Islington	100,656	26,159
Kensington and Chelsea	55,341	12,467
Kingston upon Thames	4,952	1,435
Lambeth	105,106	30,623
Lewisham	66,405	21,242
Merton	17,165	3,991
Newham	48,299	22,812
Redbridge	13,027	3,536
Richmond upon Thames	11,377	4,238
Southwark	100,878	33,209
Sutton	10,079	2,031
Tower Hamlets	25,440	20,139
Waltham Forest	31,804	7,791
Wandsworth	49,603	18,373
Westminster	34,155	12,788
South East		
Bracknell Forest	5,215	1,274
Newbury	6,719	1,701
Reading	12,467	3,809
Slough	6,418	1,769
Windsor and Maidenhead	6,036	1,460
Wokingham	5,657	1,395
Brighton	17,012	4,734
Eastbourne	10,284	1,341
Hastings	5,614	2,078
Hove	5,013	2,133
Lewes	10,663	1,568
Rother	4,185	903
Wealden	3,804	1,360
Basingstoke and Deane	7,484	2,653
East Hampshire	6,387	1,686
Eastleigh	6,618	1,797
Fareham	3,881	894
Gosport	6,612	1,330
Hart	2,213	757
Havant	4,989	1,205
New Forest	7,435	2,830
Portsmouth	16,217	4,145
Rushmoor	6,135	2,301
Southampton	12,064	4,718
Test Valley	8,249	2,608
Winchester	6,097	1,372
Medina	4,437	1,400
South Wight	3,246	1,057
Ashford	7,157	2,574
Canterbury	10,211	1,687
Dartford	5,316	1,311
Dover	6,894	2,171
Gillingham	4,782	1,393
Gravesham	6,116	1,780
Maidstone	5,842	2,381
Rochester upon Medway	7,898	2,616
Sevenoaks	6,004	1,343
Shepway	4,554	1,970
Swale	6,665	2,112
Thanet	6,597	1,546
Tonbridge and Malling	5,584	1,303
Tunbridge Wells	4,995	1,206
Cherwell	4,948	1,540
Oxford	8,792	3,940
South Oxfordshire	6,484	1,797
Vale of White Horse	5,601	1,642
West Oxfordshire	4,355	1,140
Elmbridge	8,732	1,517
Epsom and Ewell	3,151	717
Guildford	6,418	1,603
Mole Valley	5,394	974
Reigate and Banstead	5,664	1,421
Runnymede	4,476	1,290
Spelthorne	5,168	1,422
Surrey Heath	2,306	858
Tandridge	3,049	824
Waverley	6,015	1,346
Woking	6,693	1,346
Adur	3,843	1,006
Arun	5,108	1,240

Local authority	Allocation 1979-80	Allocation 1988-89 provisional
Chichester	6,581	1,354
Crawley	16,710	1,328
Horsham	7,728	1,627
Mid Sussex	4,903	1,221
Worthing	4,306	1,147
South West		
Bath	5,112	1,395
Bristol	29,158	12,265
Kingswood	5,362	916
Northavon	3,672	1,918
Wansdyke	2,153	749
Woodspring	3,401	1,914
Caradon	4,623	1,119
Carrick	3,185	1,285
Kerrier	3,039	1,242
North Cornwall	2,905	1,282
Penwith	4,222	1,287
Restormel	3,226	1,416
Isles of Scilly	332	161
East Devon	3,131	916
Exeter	3,569	1,167
North Devon	4,644	1,467
Plymouth	21,693	6,439
South Hams	3,357	1,456
Teignbridge	3,840	1,543
Mid Devon	4,530	1,074
Torbay	5,030	1,224
Torridge	1,800	1,100
West Devon	1,968	861
Bournemouth	4,832	2,360
Christchurch	1,077	572
North Dorset	2,491	607
Poole	5,373	1,292
Purbeck	2,427	645
West Dorset	4,095	1,082
Weymouth and Portland	2,987	1,366
East Dorset	3,161	742
Cheltenham	4,663	1,733
Cotswold	5,073	913
Forest of Dean	5,840	1,843
Gloucester	2,778	2,016
Stroud	3,608	1,484
Tewkesbury	3,493	1,849
Mendip	5,053	1,427
Sedgemoor	3,595	1,182
Taunton Deane	5,840	1,287
West Somerset	3,069	666
South Somerset	6,017	4,959
Kennet	4,722	1,161
North Wiltshire	3,661	1,445
Salisbury	4,278	1,328
Thamesdown	17,145	4,105
West Wiltshire	3,989	1,249
West Midlands		
Bromsgrove	3,819	540
Hereford	5,196	999
Leominster	2,189	782
Malvern Hills	8,280	1,796
Redditch	4,610	854
South Herefordshire	2,511	795
Worcester	5,534	2,439
Wychavon	9,256	964
Wyre Forest	8,665	1,319
Bridgnorth	2,873	509
North Shropshire	3,390	689
Oswestry	1,481	631
Shrewsbury and Atcham	4,276	1,464
South Shropshire	2,463	697
The Wrekin	11,411	2,010
Cannock Chase	7,013	2,075
East Staffordshire	6,039	1,918
Lichfield	4,743	1,530
Newcastle-under-Lyme	7,217	1,863
Stafford	5,821	986
South Staffordshire	6,717	898
Staffordshire Moorlands	1,939	1,805
Stoke-on-Trent	17,708	7,198
Tamworth	15,652	1,601
North Warwickshire	2,448	1,010
Nuneaton and Bedworth	6,993	1,818
Rugby	8,032	2,861
Stratford-on-Avon	6,627	1,016
Warwick	6,931	966
Birmingham	124,146	48,607
Coventry	25,628	6,589
Dudley	25,197	4,094
Sandwell	33,806	10,719
Solihull	7,196	1,112
Walsall	31,345	7,324
Wolverhampton	35,556	7,432

Development Corporations

Mr. Trotter: To ask the Secretary of State for the Environment whether he intends to increase the public funds available to the Tyne and Wear development corporation and the Teesside development corporation.

Mr. Trippier: Yes. My right hon. Friend the Secretary of State proposes to increase this year's allocations to Tyne and Wear development corporation by £3 million and to Teesside development corporation by £1 million. The Autumn statement indicated that more money would be made available to UDCs over the next three years and both TWDC and TDC will share in this increase.

Mortgage Advances

Mr. Austin Mitchell: To ask the Secretary of State for the Environment, whether, further to his written reply dated 27 July concerning mortgage advances—*Official Report*, column *757*—he will provide separate figures for the banks and insurance companies, respectively, from 1983 together with his estimate of the value of the average mortgage in each case.

Mr. Trippier: The figures requested are shown in the table.

Purchases of dwellings with mortgage advances, United Kingdom

	Gross Advance		Aggregate purchase price		Average mortgage
	Amount	Increase over previous year	Amount	Increase over previous year	£
	£bn	£bn	£bn	£bn	£
	Lending Institution Banks				
1983	4·6	N.A.	5·5	N.A.	22,500
1984	3·9	−0·7	4·5	−1·0	29,000
1985	6·2	2·3	7·3	2·8	30,900
1986	9·2	3·0	10·5	3·2	32,900
1987	13·2	4·0	12·5	2·0	36,600

	Gross Advance		Aggregate purchase price		Average mortgage
	Amount	Increase over previous year	Amount	Increase over previous year	£
	£bn	£bn	£bn	£bn	£
	Lending Institution Insurance Companies				
1983	0·6	0·2	0·7	0·2	22,500
1984	0·6	0·0	0·7	0·0	23,500
1985	0·6	0·0	0·8	0·1	25,800
1986	1·1	0·5	1·4	0·6	30,200
1987	1·5	0·4	2·0	0·6	34,200

Council House Sales

Mr. John Marshall: To ask the Secretary of State for the Environment how many applicants have been waiting for more than two months to exercise their right to buy in each of the London boroughs.

Mr. Trippier: Many tenants exercising the right to buy in London experience considerable delays. The Department does not collect information in the form requested, but the most recent survey of all London boroughs showed that, at the end of March, 19 had over 100 cases where an offer notice had not been served within the statutory time limit, and four had over 1,000 such cases. The Housing Bill gives tenants whose landlords delay sales power to require the rent paid during the delay to be set against the purchase price.

Disabled People

Mr. Hannam: To ask the Secretary of State for the Environment (1) whether work is being carried out to extend part M (Access and facilities for disabled people) of the buildings regulations to extensions and alterations of existing buildings; and if he will make a statement;

(2) when part M of building regulations will be extended to all floors of new buildings used by the public.

Mr. Trippier: The Building (Disabled People) Regulations 1987 require the provision of reasonable access and other facilities for disabled people in certain categories of new buildings. The regulations have been in force for almost 12 months, and we shall now be considering how effectively they are operating in practice. This will provide a firm basis for the development of proposals to extend the requirements to other non-domestic buildings. Officials are also looking into the practical problems involved in applying the requirements to extensions and alterations of existing buildings. I hope that we shall be in a position to consult on detailed proposals during the course of next year.

Channel Tunnel

Mr. Rowe: To ask the Secretary of State for the Environment if he will publish a list of the listed buildings in Kent which lie within *(a)* 100, *(b)* 750 or *(c)* 1,500 m. of the proposed routes 1 and 2 submitted by British Rail for the high speed rail link to the Channel tunnel.

Mrs. Virginia Bottomley: We have no plans to do so. I understand that an environmental assessment of these and other possible routes undertaken by consultants for British Rail will include amongst other things their effect upon listed buildings.

Repossessions

Mr. Dobson: To ask the Secretary of State for the Environment if he will give the total number of repossessions by building societies since May 1979.

Mr. Trippier: Figures are not available precisely for the period requested. There were 104,330 building society repossessions between 1 January 1979 and 30 June 1988.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give his estimate of the likely number of repossessions by building societies during 1988.

Mr. Trippier: I am not in a position to forecast the number of repossessions by building societies during 1988. However, the buoyancy of the economy, the growth in real earnings and the continuing fall in the numbers of people unemployed suggest that there may not be a marked reversal of the current downward trend in the second half of the year.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give the latest available figure for the number of repossessions by building societies so far in 1988; and if he will give the comparable figure for 1984.

Mr. Trippier: In the first half of 1988 there were 9,770 repossessions by building societies. In the first half of 1984 there were 5,120 repossessions.

Housing Finance

Ms. Quin: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a table showing, by standard planning regions, for the years 1980-81 to 1986-87, information on central Government support to the private sector for housing, expressed in *(a)* cash terms, *(b)* per capita expenditure and *(c)* a current and capital split, with a separation by region for the above years, by (i) housing associations new provision for rent, (ii) low cost home ownership and (iii) renovations and clearance by the private sector.

Mr. Trippier: The information requested is as follows.

The table gives figures for entitlement to Exchequer support for local authority grants towards renovation and clearance by the private sector, by DOE housing region. Figures for 1980-81 are not available by region. Figures in respect of housing association new provision for rent and low cost home ownership are not available in the form requested.

Exchequer support for private sector renovation and clearance by DOE housing region

£m

	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87
Northern	23	27	33	37	40	41
North West	55	66	82	96	111	117
Yorkshire and Humberside	31	36	46	53	58	58
East Midlands	20	25	35	43	49	52
West Midlands	19	25	36	47	53	58

	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87
South West	13	18	28	35	39	43
Eastern	7	9	13	17	19	21
London	27	34	48	67	82	84
South East	23	31	46	59	67	73
England	216	272	367	454	517	546
	Expenditure per head of population (pounds/pence)					
Northern	8·59	10·13	12·42	14·26	15·22	15·84
North West	7·89	9·60	11·93	13·96	16·10	17·05
Yorkshire and Humberside	6·24	7·38	9·40	10·88	11·78	11·91
East Midlands	5·09	6·59	9·03	11·20	12·46	13·23
West Midlands	3·67	4·84	7·05	9·01	10·14	11·19
South West	3·02	4·16	6·28	7·84	8·74	9·44
Eastern	1·29	1·72	2·42	3·06	3·46	3·66
London	3·91	4·98	7·10	9·89	12·17	12·42
South East	3·43	4·57	6·83	8·73	9·86	10·58
England	43·14	53·96	72·47	88·83	99·94	105·32

Notes:
(1) DOE housing regions are similar to standard regions except that: the northern region excludes Cumbria, which is included in the north-west; Buckinghamshire, Bedfordshire, Hertfordshire and Essex are included in the eastern region (which is otherwise the same as East Anglia); and Greater London is a separate region.
(2) Expenditure figures represent Exchequer contributions paid to local authorities towards the cost of loan charges on borrowing (normally over a 20-year period) undertaken to provide capital grants to the private sector. The expenditure included is: home improvement grants; homes insulation scheme grants; housing defects reinstatement grants; slum clearance subsidy; and expenditure on environmental works in housing action areas and general improvement areas.
(3) Per capita figures are based on the Registrar General's estimates of resident population as at 30 June in each year.

Water Pollution

Mr. Butler: To ask the Secretary of State for the Environment what information he has on the presence of trichloromethane in drinking water sources in England and Wales; and if he will make a statement.

Mr. Moynihan: The Government have established as a national standard a three-monthly average of 100 microgram per litre of trihalomethanes containing chlorine. Trichloromethane is one of the commonest trihalomethanes. Fourteen supplies currently exceed that standard but steps are in hand to achieve compliance with the standard.

Mr. Butler: To ask the Secretary of State for the Environment if he will take steps to ensure that drinking water complies with the World Health Organisation 1984 guidelines on permissible nitrate levels.

Mr. Moynihan: The Government's policy is to comply with the nitrate standard in the EC directive relating to the quality of water intended for human consumption, which is broadly comparable with the WHO 1984 guideline.

Mr. Blunkett: To ask the Secretary of State for the Environment, pursuant to his answer of 31 October, what powers the National Rivers Authority will have to require improvement to surface, underground and coastal waters, once it has sampled effluent and other matters discharged into those waters.

Mr. Moynihan: The consent of the National Rivers Authority will be required for all discharges to surface, underground and coastal waters. The authority will be able to review, and vary or revoke, conditions attached to such consents for the purposes of maintaining or improving water quality and to take appropriate enforcement action where these are not observed. It will also have powers in relation to the establishment and operation of protection zones; for taking precautions for the avoidance of pollution risks; and to undertake emergency works for forestalling or remedying pollution.

Mr. Boyes: To ask the Secretary of State for the Environment when he wrote to the 10 water authorities in England and Wales asking for the cost of rectifying the problem of polycyclic aromatic hydrocarbons in drinking water supplies; and what response he has had.

Mr. Moynihan *[holding answer 4 November 1988]:* The Department wrote to water authorities on 1 November asking them to carry out surveys of polycyclic aromatic hydrocarbons in drinking water beyond present monitoring requirements. The information provided by these surveys should enable authorities to cost and develop remedial programmes should these prove necessary.

Rating Reform

Mr. Blunkett: To ask the Secretary of State for the Environment if, further to his answer to the hon. Member for Sheffield, Brightside, *Official Report*, 13 June, columns *22-24* he will recalculate those taxes taking into account the new benefit levels announced by the Secretary of State for Social Security on 27 October.

Mr. Gummer: I refer the hon. Member to my reply to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 2 November, column *685*. The revised estimates will take into account the new benefit levels announced by the Secretary of State for Social Security on 27 October. I shall write to the hon. Member when the information requested is available.

Dr. Cunningham: To ask the Secretary of State for the Environment what plans he has to make the membership of valuation and community charge tribunals representative of the wider community.

Mr. Ridley: Members of valuation and community charge tribunals will be appointed by local authorities, as the members of local valuation panels are now. My officials have recently written to appointing authorities about appointments to the tribunals, stressing the need for tribunal membership to be drawn from people with a wide range of backgrounds.

Dr. Cunningham: To ask the Secretary of State for the Environment, what plans he has to provide information on poll tax in ethnic minority languages; and when translations of information, forms, practice notes, and so on, will be made available.

Mr. Ridley: A practice note about canvassing arrangements which contains a model registration form and explanatory notes has been prepared jointly by my Department and local authority associations and will be issued this week.

To assist those authorities with substantial ethnic minority populations, we shall be making available the form and notes in the major ethnic minority languages, in time for the canvasses next year.

Dr. Cunningham: To ask the Secretary of State for the Environment if he will publish in the *Official Report* the list of poll tax matters for which the valuation and community charge tribunals will determine appeals.

Mr. Ridley: The grounds for appeal to a valuation and community charge tribunal in relation to the community charge are set out in section 23(2) of the Local Government Finance Act 1988.

Dr. Cunningham: To ask the Secretary of State for the Environment if he will publish in the *Official Report* the number of members of *(a)* each local valuation panel, *(b)* each proposed valuation and community charge tribunal, and *(c)* the authority areas served by each local valuation panel and valuation and community charge tribunal.

Mr. Ridley: The information is as follows. Each valuation and community charge tribunal will serve the same area as its predecessor local valuation panel. Except where shown, the panel covers all the district councils within a county. The figures for LVP membership are the present complement; some panels are currently operating below complement.

Panel/Tribunal	*Present LVP complement*	*Proposed VCCT complement*
Avon	28	36
Bedfordshire	16	20
Berkshire	40	40
Birmingham	40	50
Buckinghamshire	31	36
Cambridgeshire	44	47
Cheshire	50	70
Cleveland	54	55
Cornwall	32	32
Coventry/Solihull	30	40
Cumbria	36	36
Derbyshire	54	60
Devon	40	40
Dorset	23	23
Essex North (Braintree, Chelmsford, Colchester, Malden, Tendring and Uttlesford)	30	30
Essex South (Basildon, Brentwood, Castle Point, Epping Forest, Harlow, Rochford, Southend-on-Sea and Thurrock)	22	30
Gloucestershire	22	24
Hampshire North (Basinstoke and Deane, East Hampshire, Hart, Rushmoor, Test Valley and Winchester)	21	23
Hampshire South (Eastleigh, Fareham, Gosport, Havant, New Forest, Portsmouth and Southampton)	36	36
Hereford and Worcester	40	40
Hertfordshire	40	40
Humberside	40	47
Isle of Wight	12	12
Isles of Scilly	10	10
Kent	80	100
Lancashire	70	100
Leicestershire	50	50
Lincolnshire	58	58
London Central (Camden, Islington, Westminster, Royal Borough of Kensington and Chelsea and the City of London)	50	110
London North East (Barking and Dagenham, Hackney, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest)	56	63
London North West (Barnet, Brent, Ealing, Enfield, Haringey, Harrow and Hillingdon)	56	91
London South East (Bexley, Bromley, Croydon, Greenwich, Lewisham and Southwark)	48	72
London South West (Hammersmith and Fulham, Hounslow, Kingston-upon-Thames, Lambeth, Merton, Richmond-upon-Thames, Sutton and Wandsworth)	48	72
Manchester North (Bolton, Bury, Oldham, Tameside, Rochdale and Wigan)	84	108
Manchester South (Manchester, Salford, Stockport and Trafford)	56	84
Merseyside (Knowsley, Liverpool, Sefton, St. Helens and Wirral)	54	100
Norfolk	70	70
Northamptonshire	35	36
Northumberland	30	35
Nottinghamshire	42	54
Oxfordshire	35	36
Shropshire	43	44
Somerset	20	20
Staffordshire	55	57
Suffolk	30	30
Surrey	46	46
East Sussex	40	40
West Sussex	35	37
Tyne and Wear	64	80
Warwickshire	28	40
West Midlands (West) (Dudley, Sandwell, Walsall and Wolverhampton)	34	40
Wiltshire	26	26
North Yorkshire	46	52
South Yorkshire	42	64
West Yorkshire	70	90

Mr. Blunkett: To ask the Secretary of State for the Environment if, based on the most recent figures, he will show the percentage of people in England and Wales expected to pay, on 1988-89 figures, a personal community charge of up to *(a)* £200, *(b)* £246, *(c)* £250, *(d)* £258, *(e)* £300, *(f)* £350, *(g)* £400, *(h)* £450, *(i)* £500, *(j)* £506, *(k)* £550 and *(l)* £600.

Mr. Gummer *[holding answer 3 November 1988]:* On 23 June 1988 the Government published community charge figures to illustrate the impact of the new local government finance system had it been in force in 1988-89. They use the current levels of local authority spending, and existing local authority responsibilities. They are not therefore a prediction of what community charges will be in due course. Based on those published figures, however, the

percentage of personal community charge payers in England who would pay the amounts specified are as follows:

Community charge	*Charge payers Per cent.*
Up to £200	25
£201 to £246	34
£247 to £250	2
£251 to £258	4
£259 to £300	28
£301 to £350	1
£351 to £400	1
£401 to £450	0
£451 to £500	1
£501 to £506	0
£507 to £550	1
£551 to £600	1

[1] Less than ½ per cent.

Sir Geoffrey Finsberg: To ask the Secretary of State for the Environment whether, under the provisions of the Housing Bill, a registered charitable housing association will be entitled to purchase tenanted council properties.

Mr. Trippier: Whether a charitable housing association can acquire tenanted council properties must depend on the terms of its charitable objects and on all the circumstances of the individual case.

Rates

Mr. Blunkett: To ask the Secretary of State for the Environment if he will list for each year from 1982-83 to 1988-89 *(a)* the average rates payable per household by standard economic region, *(b)* the percentage increase in the average rates payable per household by region for each year from 1982-83 and *(c)* the annual percentage increase in the retail price index since 1982-83; and if he will list for each region the projected community charge per person based on local authority 1988-89 expenditure returns.

Mr. John Gummer: The information requested is as follows:

Table A
Average rates payable per household

£

	1982-83	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
South East	340	371	393	420	451	486	527
South West	237	255	272	291	351	377	418
East Anglia	227	244	265	281	349	370	404
West Midlands	286	290	299	345	398	429	467
East Midlands	227	243	271	292	362	395	444
North West	269	291	314	347	401	432	466
Yorkshire and Humberside	221	234	251	273	335	353	393
Northern	241	262	284	322	375	382	412

Table B
Annual percentage increase in average rates payable per household

Per cent.

	1982-83	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
South East	13	9	6	7	7	8	8
South West	17	8	7	7	21	7	11
East Anglia	10	7	9	6	24	6	9
West Midlands	14	1	3	15	15	8	9
East Midlands	23	7	12	8	24	9	12
North West	16	8	8	11	16	8	8
Yorkshire and Humberside	21	6	7	9	23	5	11
Northern	13	9	8	13	16	2	8

Table C
Annual percentage increase in retail price index[1]

Year	*Percentage*
1982-83	9·4
1983-84	4·0
1984-85	5·2
1985-86	6·9
1986-87	3·0
1987-88	4·2
1988-89	3·9

[1] As at April.

Table D
Projected community charge per adult[1]

	£
South East	259
South West	212
East Anglia	196
West Midlands	219
East Midlands	235
North West	250
Yorkshire and Humberside	264
Northern	273

[1] Based on local authority 1988-89 expenditure returns.

Grants

Mr. Blunkett: To ask the Secretary of State for the Environment how much grant in figures and as a proportion of that made available in 1988-89 he expects to allocate, by region, to local authorities in the years 1990 and 1994.

Mr. Gummer: It is not yet possible to say.

Land Disposal, Bradford

Mr. Cryer: To ask the Secretary of State for the Environment if he will list all applications made by the city of Bradford for consent to the disposal of land under section 123 of the Local Government Act 1972, which have been made during 1988 to the most recent practicable date, stating whether his consent has been given in each case.

Mrs. Virginia Bottomley: One application has been made, for the disposal of land at Southfield lane, Bradford, to the North British Housing Association. Consent was given in March 1988.

Unlicensed Vehicles

Mr. Tony Banks: To ask the Secretary of State for the Environment what resources are made available to local authorities to enable them to remove unlicensed vehicles.

Mrs. Virginia Bottomley: Resources are available to local authorities to carry out their statutory functions and exercise their statutory powers. It is for the authorities to determine priorities in the allocation of these resources.

County Hall, London

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make a statement on the future of County Hall, London SE1.

Mrs. Virginia Bottomley: I have nothing to add at this stage to earlier statements.

Local Valuation Panels

Dr. Cunningham: To ask the Secretary of State for the Environment whether he can provide an analysis by age, sex and occupation of the current membership of local valuation panels.

Mr. Ridley: I shall write to the hon. Gentleman.

Mr. Philip Hammond

Mr. Denis Howell: To ask the Secretary of State for the Environment if he will give details of the role being performed in the office of the Minister for Sport by Mr. Philip Hammond; if he will outline his responsibilities and qualifications; how he was selected for these duties; and of what public funds he is in receipt.

Mr. Moynihan: Mr. Hammond is a political assistant to the Minister with responsibility for Sport. In this capacity he is unpaid. He is not in receipt of any public funds.

Otters

Dr. David Clark: To ask the Secretary of State for the Environment if any otters have been discovered suffering from the canine distemper virus currently prevalent in seals around the coasts of Britain.

Mrs. Virginia Bottomley: The virus affecting seals around parts of the coasts of the United Kingdom has only been identified provisionally as being of the Morbilli family, which includes rinderpest and canine distemper virus. We are not aware of any reports that otters have been found suffering from this disease.

Air Pollution (London)

Mr. Allan Roberts: To ask the Secretary of State for the Environment how many times carbon monoxide levels in London's air have exceeded World Health Organisation guidelines in the last 12 months; what steps he is taking to ensure that guideline breaches will not increase in the next 12 months; and what actions are in process to ensure that London's air does not exceed World Health Organisation guidelines for carbon monoxide or nitrogen dioxide levels during the next four years.

Mrs. Virginia Bottomley *[pursuant to her reply, 31 October 1988, c. 540]:* The World Health Organisation Guidelines are intended to provide background information and guidance to Governments in setting standards. They are not intended by WHO as air quality standards or limit values in themselves.

Carbon monoxide measurements made for the Department by the Warren Spring Laboratory in central London have been analysed for the 12-month period October 1987 to September 1988. The measured levels were well below guideline values and it is not expected that the latter will be exceeded in background urban locations in the foreseeable future.

For NO_2 the appropriate air quality standard is contained in the European Community directive 85/203. This standard was not exceeded at the Warren Spring central London monitoring site during the same period. To ensure that this air quality standard is not exceeded in the future, we intend to implement the European Community directive on vehicle exhaust emissions which contain provision for limiting emissions of NOx, of which NO_2 is a principal component.

Council House Sales

Mr. Norman Hogg: To ask the Secretary of State for the Environment if he will give figures showing the average discount on sales of local authority and new town dwellings in England and Wales for each year since 1980.

Mr. Trippier *[holding answer 4 November 1988]:* Figures for English local authorities and new towns are as follows: For Welsh figures, I refer the hon. Member to the Secretary of State for Wales.

Average discounts

	£ thousands	*Percentage of market price*
1980-81	6·0	39
1981-82	7·0	42
1982-83	7·1	42
1983-84	[1]7·8	41
1984-85	9·3	43
1985-86	10·8	46
1986-87	12·3	46
1987-88	[1]14·4	48

[1] Average exclude block sales of dwellings in 1983-84 and 1987-88.

Council Rents

Mr. Norman Hogg: To ask the Secretary of State for the Environment if he will give figures showing the gross collectable council rent and gross rent arrears for England and Wales for each of the years ending 31 March 1985, 1986, 1987 and 1988.

Mr. Trippier *[holding answer 4 November 1988]:* The estimates derived from the figures reported by English housing authorities on their subsidy claim forms are as follows:

1 April	Rent roll	£ million rent arrears
1985	3,503	199·1
1986	3,699	211·4
1987	3,827	196·0

Comparable estimates for 1988 are not yet available.

For information about Wales I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Mr. Norman Hogg: To ask the Secretary of State for the Environment if he will give figures showing the current average council house rent in England and Wales, the amount by which this lies below estimated market rent and the percentage increase in council house rents since 1979.

Mr. Trippier *[holding answer 4 November 1988]:* The estimated average unrebated weekly rent for local authority dwellings in England was £18·75 in April 1988, 193 per cent. higher than the corresponding average in April 1979. Estimates of potential market rents for local authority dwellings are not available.

For Welsh figures I refer the hon. Member to the Secretary of State for Wales.

Housing Transfers

Mr. Simon Hughes: To ask the Secretary of State for the Environment what is his policy, when deciding whether to approve a proposal for a large-scale voluntary transfer of local authority housing, with regard to the treatment of tenants who do not vote in a ballot as agreeing with the transfer; and if he will make a statement.

Mr. Trippier *[holding answer 4 November 1988]:* My right hon. Friend indicated the criteria he would normally expect to adopt, including those on tenant consultation, in guidelines on "Large Scale Voluntary Transfers of Local Authority Housing to Private Bodies", issued by the Department of the Environment in June 1988. He has said that he will apply the requirements of schedule 3A to the Housing Act 1985, whether or not it applies statutorily to the transfer in question. Beyond this, he will consider each case on its merits.

Land Register Committees

Mr. Pendry: To ask the Secretary of State for the Environment if he will review the membership criteria for land register committees, teams of three, so as to disbar nominees from chambers of commerce who may have vested interests in land disposal.

Mr. Trippier *[holding answer 4 November 1988]:* Teams of three consist of an official of my Department, a principal officer of the district council for the area concerned and a nominee of a chamber of commerce. Terms and conditions to prevent any abuse of a position of trust on the part of the last of these were agreed with the Association of British Chambers of Commerce. The teams now operate in a limited number of areas. Their role is to encourage public sector landowners to bring into use or dispose of unused or underused land that is entered on the land registers. Given the safeguard I have outlined, I do not consider it necessary to deprive the teams of three of the benefit of relevant experience.

Bed-and-Breakfast Accommodation

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the number of children currently in bed-and-breakfast accommodation; if he will denote the number eligible to attend school; and if he will classify this latter figure by each local education authority.

Mr. Trippier *[holding answer 4 November 1988]:* This information is not collected centrally.

Silage and Slurry

Ms. Walley: To ask the Secretary of State for the Environment (1) if he will introduce regulations requiring the regular inspection and certification of silage and slurry facilities on a basis similar to the vehicle MOT test;

(2) if he will ensure that the proposed National Rivers Authority has sufficient resources available to advise farmers on how to improve the integrity of silage and slurry facilities as a means of reducing pollution incidents.

Mr. Moynihan: The regulations we propose to introduce under section 31(4) of the Control of Pollution Act 1974—COPA—will require new or extended facilities to meet specified standards of construction and will allow the National Rivers Authority to serve enforcement notices in respect of existing facilities which pose significant pollution risks.

Additionally, water authorities already have powers under COPA to inspect waste facilities and to take any necessary action to prevent water pollution occurring.

Farmers will be able to obtain advice on the avoidance of pollution from silage and slurry installations from either the National Rivers Authority or the agriculture development advisory service.

HOUSE OF COMMONS

Snuff

Mr. Tony Banks: To ask the Lord President of the Council what has been the recent average annual consumption of snuff taken from the Principal Doorkeeper by right hon. and hon. Members expressed in terms of weight and value; how many Members on average regularly take advantage of the service; and what has been the average cost to public funds.

Mr. Wakeham: The average annual consumption of snuff provided by the Principal Doorkeeper is some 1½ oz. I understand that only one hon. Member regularly takes advantage of this service. The average annual cost to public funds is 99p.

SOCIAL SECURITY

Leaflets

Mr. Leighton: To ask the Secretary of State for Social Security how long the welfare rights team in the London borough of Newham waited for the leaflets about benefits ordered in April.

Mr. Peter Lloyd: Approximately 18 weeks. Orders for outlets other than the Department's own local offices, are supplied from the central leaflets unit. There is currently a

delay of 19 weeks in dispatch of large orders. I understand the London borough of Newham has also arranged the direct collection of leaflets.

Problems at the leaflets unit arose because of the high demand for new leaflets on the social security changes. Many of these orders were received as early as February. The leaflets themselves were not available until March and April as their production timetable was subject to the progress of legislation. Extra staff have been recruited to help clear the backlog, but this has been exacerbated by the recent local and national postal disruption. Individual copies of leaflets can be obtained from local offices of the Department or by ordering from the free telephone inquiry service, 0800 666 555.

Jobless Offenders (Hostels)

Mr. McCrindle: To ask the Secretary of State for Social Security if he will make a statement on his policy towards funding levels for hostels for jobless offenders in light of the Policy Studies Institute's recommendation of such levels, a copy of which has been forwarded to him.

Mr. Peter Lloyd: We have considered the Policy Studies Institute's favoured recommendation that all hostels be asked to set a flat rate charge which would be met automatically by social security payments. We do not think it practicable to set up such a scheme which would require complex arrangements to ensure an equitable redistribution of funding between hostels following the necessary adjustments to existing charges. Moreover, it would preserve the distortion of special rules for a small sector of the housing market.

Mr. McCrindle: To ask the Secretary of State for Social Security if the formula adopted for the purposes of calculating funding for hostels for jobless offenders includes an element for care and supervision; and if he will make a statement.

Mr. Peter Lloyd: Funding hostels for offenders is a matter for my right hon. Friend the Home Secretary. Unemployed people in hostels may receive special rates of income support to help with the accommodation charge, meals and other living expenses. The consultation paper "Help with Hostel Charges", issued in July, invited comments on proposals to pay normal income support and housing benefit to hostel dwellers.

As announced in my hon. Friend's reply to my hon. Friend the Member for St. Ives (Mr. Harris) on 27 October at column *337*, we have deferred change until after April 1989 to allow more time to consider the effect of the proposals on hostels' finances.

Income Support

Mr. Tony Lloyd: To ask the Secretary of State for Social Security what recent representations he has received regarding the effects of the Social Security Act 1986 on the current levels of families estimated living at income support level or below.

Mr. Peter Lloyd: As well as the fourth report from the Select Committee on Social Services, Session 1987-88, we have received representations from the Child Poverty Action Group. The Government's reply to the Select Committee will be published shortly.

Mr. Frank Field: To ask the Secretary of State for Social Security how many single parents draw income support who *(a)* have and *(b)* have not got maintenance orders against the fathers of their children.

Mr. Peter Lloyd: Figures for single (that is, unmarried lone) mothers receiving income support are not yet available. The most recent figures for supplementary benefit (May 1987) are *(a)* 17,084 and *(b)* 232,255. Orders obtained by the Department are included at *(a)*.

Mrs. Beckett: To ask the Secretary of State for Social Security whether the £70 million extra annual spending on income support for disabled people includes transitional additions; whether it takes account of *(a)* the loss of single payments and *(b)* the latest available information on the number of claims for income support; and what effect each of these factors has on the total.

Mr. Peter Lloyd: The figure of £70 million is an uprated estimate of the extra spending through the disability premium for 1989-90. It derives from the tables published in the revised technical annex to the White Paper "Reform of Social Security" (Cmnd 9691). The figure does not take account of either transitional additions or the loss of single payments. The technical annex has not been updated to take account of the 1987 annual statistical inquiry or subsequent predictions of the number of claims for income support.

Mr. Squire: To ask the Secretary of State for Social Security if he will provide a breakdown between the two benefits of the extra £70 million going to families with children on income support and family credit.

Mr. Peter Lloyd: It is estimated that of the extra £70 million, a total of £43 million will go to income support recipients, £25 million to family credit recipients and £2 million to housing benefit recipients.

Mr. Gordon Brown: To ask the Secretary of State for Social Security how much is allowed for the payment of water rates in the income support personal allowances for 1989-90.

Mr. Peter Lloyd: No specific amount is included in the Income Support personal allowances for 1989-90 for the payment of water rates.

Mr. Gordon Brown: To ask the Secretary of State for Social Security how much he expects to spend on income support in 1989-90; and how much of this is attributable to the compensation for 20 per cent. of the community charge.

Mr. Peter Lloyd: A detailed explanation of the changes to the programme will be published in the 1989 public expenditure White Paper in the normal way.

Mr. Gordon Brown: To ask the Secretary of State for Social Security what is his estimate of the average amount of rates that income support claimants would be liable for in 1989-90.

Mr. Peter Lloyd: Latest estimates suggest that the average amount of rates that income support recipients in England and Wales will have to pay in 1989-90 will be around £1·50.

Housing Benefit

Mr. Nicholas Bennett: To ask the Secretary of State for Social Security how many applications for transitional

payments in respect of housing benefit have been made; and how many have been approved at the latest available date.

Ms. Ruddock: To ask the Secretary of State for Social Security (1) what percentage of people eligible for transitional payments in *(a)* the United Kingdom, *(b)* London and *(c)* Lewisham have applied to date;

(2) how many people have applied for transitional protection payments in *(a)* the United Kingdom, *(b)* London and *(c)* Lewisham; and how many people have been paid so far in each category.

Mr. Robin Cook: To ask the Secretary of State for Social Security how many applications have now been received by his Department's unit in Glasgow regarding housing benefit transitional payments; how many have been duly processed; and how many actual payments have been made.

Mr. Peter Lloyd: The transitional payments unit has received 364,643 applications up to 1 November. Of this total 238,858, or 51 per cent., have been assessed and 108,146 cases have now received their first payments, including arrears from the beginning of April. It is necessary in every case to issue an inquiry form to the applicants local authority to obtain details of the housing benefit position. There are currently just over 95,000 forms with local authorities which have not been returned. The backlog of work which accumulated at the unit before it became operational has now been cleared and as the forms are returned from authorities assessments are made and notifications sent out without delay. I regret that the information is not yet available for either London or Lewisham. It is not possible to quantify the numbers of people with potential eligibility to housing benefit transitional payments.

Mr. Clay: To ask the Secretary of State for Social Security how much he expects to save as a result of *(a)* not uprating the lone parent premium under housing benefit and *(b)* raising the non-dependant deduction over and above the retail prices index less housing.

Mr. Peter Lloyd: No change to the basis for uprating these amounts has been made and we have made no calculations of the costs involved. The housing benefit lone parent premium was introduced in April at a higher level than for income support as a transitional measure to reduce losses for lone parents. The aim is alignment in the two schemes. Since housing benefit was introduced it has been normal practice to uprate the non-dependant deductions in line with the housing element of the retail prices index, rather than any other index, to reflect changes in levels of actual housing costs.

Disabled Adults

Mr. Hannam: To ask the Secretary of State for Social Security on what date the Office of Population and Censuses Surveys' second report, "The Financial Circumstances of Disabled Adults" will be published.

Mr. Scott: I refer my hon. Friend to my reply to my hon. Friend the Member for Brentwood and Ongar (Mr. McCrindle) on 4 November at column *814*.

Mobility Allowance

Mr. Hannam: To ask the Secretary of State for Social Security if he will make it his policy that mobility allowance will be extended beyond the age of 75 years; and if he will make a statement.

Mr. Scott: My right hon. Friend announced on 27 October that we shall be bringing forward legislation to extend the upper age limit from 75 to 80 as an interim measure pending our consideration of the series of reports on the survey of disabled people undertaken by the Office of Population Censuses and Surveys.

Transitional Payments

Ms. Ruddock: To ask the Secretary of State for Social Security what efforts are being made to encourage people eligible for transitional payments who have not yet made a claim.

Mr. Peter Lloyd: I refer the hon. Member to my reply to the hon. Member for Newham, North-West (Mr. Banks) on 24 October at columns *59-60*. As my right hon. Friend has recently announced, applications for transitional payments will be accepted up to 31 March 1989 and all applications received up to that date will be backdated to April 1988 if successful.

Mr. Robin Cook: To ask the Secretary of State for Social Security how many claimants will not have their benefits uprated next April as a result of being in receipt of transitional protection.

Mr. Peter Lloyd: Latest estimates suggest that about 500,000 beneficiaries will receive no increase in their benefit next April as a result of transitional protection.

Mr. Steen: To ask the Secretary of State for Social Security if, pursuant to his reply of 1 November on the subject of housing benefit transitional payments, he will list those local authorities for which adequate information is awaited in more than 25 cases in order for payment to be made.

Mr. Peter Lloyd: I regret that the information requested is not available.

Mr. Clay: To ask the Secretary of State for Social Security how many people he estimates will be receiving transitional protection in 1989-90; and at what cost.

Mr. Peter Lloyd: Latest estimates suggest that about 500,000 income support recipients will be receiving transitional protection after next April. Detailed costs will not be available until after the publication of the 1989 public expenditure White Paper.

Family Credit

Mr. Robin Cook: To ask the Secretary of State for Social Security what is his Department's estimate of actual expenditure on family credit in the first quarter of the current financial year;

Mr. Squire: To ask the Secretary of State for Social Security if he will estimate how much of the family credit budget for 1988-89 has so far been spent.

Mr. Peter Lloyd: Up to and including 1 July 1988, the latest date for which information is available, actual

expenditure on family credit that is amounts of benefit encashed by recipients, was £84·3 million. As this period was at the start of the new scheme, the level of expenditure was not representative, both because of the lower number of awards made at that stage and because the figure relates to actual encashments and not to the total benefit awarded for that period. However, indications are that the total outturn for 1988-89 will be at or slightly above the provision in the 1988 public expenditure White Paper.

Sir Ian Gilmour: To ask the Secretary of State for Social Security if he will publish figures showing the proposed family credit ceilings in 1989-90 for *(a)* a married couple with one child under five years, *(b)* a married couple with two children under eleven years, *(c)* a married couple with two children over eleven years, *(d)* a married couple with three children under eleven years, *(e)* a married couple with three children over eleven years and *(f)* a married couple with two children under eleven years and two children over eleven years.

Mr. Peter Lloyd: The information requested is a follows:

	Maximum Family Credit (1) at proposed April 1989 rates	*Level of Gross earnings (2) at which entitlement to Family Credit runs out*
(a) Married couple with one child under 5	£40·90	About £138 a week
(b) Married couple with two children under 11	£48·20	About £154 a week
(c) Married couple with two children between 11-15	£59·40	About £178 a week
(d) Married couple with three children under 11	£55·50	About £170 a week
(e) Married couple with three children between 11 and 15	£72·30	About £206 a week
(f) Married couple with two children under 11 and two aged between 11 and 15	£74·00	About £210 a week

Notes:

(1) Maximum Family Credit would be payable where net income was £54·80 or less.

(2) At the proposed new National Insurance contribution levels and assuming an inflation-related increase in tax thresholds from April 1989.

Mr. Speller: To ask the Secretary of State for Social Security how many *(a)* pages, *(b)* sections and *(c)* questions there are in family credit application form FC1; and if he will simplify it.

Mr. Peter Lloyd: The family credit claim form (FC1) has

(a) 16 pages, 13 of which contain questions which may have to be answered by claimants;

(b) 13 Parts, two of which contain only explanatory material and do not require any entries by claimants;

(c) about 100 separate questions.

The form covers a wide range of possible situations so as to obtain all the information required at the outset and avoid having to make further inquiries of the claimant. This means that most claimants will find that whole parts of the form do not apply to them and that they do not need to answer many of the questions in some of the other parts. We are looking at ways to improve the claim form following experience of the form in use.

Mr. Squire: To ask the Secretary of State for Social Security how many children he estimates are in families *(a)* entitled to and *(b)* claiming family credit.

Mr. Peter Lloyd: A precise estimate of the number of families eligible for family credit and the number of children in those families cannot be made until information from the 1988 family expenditure survey is available. Information about the number of children in families actually receiving family credit should be available in the new year.

Mr. Squire: To ask the Secretary of State for Social Security how much he expects to spend on family credit in 1989-90 in the event of take-up of *(a)* 30 per cent., *(b)* 40 per cent., *(c)* 50 per cent. and *(d)* 60 per cent.

Mr. Peter Lloyd: The latest estimates of family credit expenditure for 1989-90, and the take-up assumptions underlying them, will be published early in the new year in the departmental report.

Programme for Disabled People

Mr. Alfred Morris: To ask the Secretary of State for Social Security (1) which organisations in *(a)* Great Britain and *(b)* Northern Ireland have been invited to submit nominations to the European Community network of rehabilitation centres;

(2) what action the Minister for the Disabled proposes to take to enable organisations in the voluntary sector to contribute to, and benefit from, the second action programme for disabled people;

(3) what action the Minister for the Disabled has taken following agreement by the Council of the European Community of the second action programme for disabled people in April, to ensure that disability organisations and others have been fully informed of the contents of the programme;

(4) what action the Minister for the Disabled has taken to provide information on the second action programme for disabled people to organisations in Northern Ireland.

Mr. Scott: Following agreement by the Council of the European Community to proceed with a second action programme for disabled people, the Commission invited member states to submit nominations for the network of local pilot projects. Because of the very tight timetable for nominations set by the Commission, it was not possible to advertise publicly. Nominations were invited, therefore, from all relevant Government Departments including the Department of Health and Social Services in Northern Ireland. In addition, invitations to nominate were sent to a wide range of statutory and voluntary organisations. We asked these organisations and government departments to disseminate the invitation to other bodies who might be interested to encourage all those who might wish to apply. It is not possible, therefore, to say how many organisations were eventually invited to make nominations.

We received a large number of nominations that exceeded the number of places allocated to the United Kingdom within each network. The projects have now been selected and are being informed. Within each

network they cover a wide range of disabilities and have a good geographical spread including a project from Northern Ireland.

We intend to consider how those organisations who were not successful or who expressed an interest in the programme can be kept informed of the progress of the local projects. In addition we are considering the most appropriate way, within the constraints that apply on public expenditure, to facilitate the involvement of disability organisations in the second action programme.

YTS

Mr. McLeish: To ask the Secretary of State for Social Security if he will consider re-introducing income support to 16 and 17-year olds who do not receive an offer of a YTS place at the termination of the period of bridging allowance or extended child benefit.

Mr. Peter Lloyd: No. I refer the hon. Member to the reply given by my right hon. Friend the Member for Northavon (Mr. Cope) to the hon. Member for Cunninghame, North (Mr. Wilson) on 3 November at column *773*.

Mr. McLeish: To ask the Secretary of State for Social Security if he is monitoring the impact of the YTS guarantee on those young people who would have been eligible for income support before the introduction of the new benefit rules in September.

Mr. Peter Lloyd: The Government are monitoring the changed social security benefit arrangements for young people seeking a YTS place.

Child Benefit

Mr. McLeish: To ask the Secretary of State for Social Security how many 16 and 17-year old summer school leavers who would have been eligible for income support are now on extended child benefit following the new benefit rules introduced from September for Scotland.

Mr. Peter Lloyd: The information requested is available only for Great Britain as a whole. As at 31 October 1988 there were 17,448 16 and 17-year-old summer school leavers whose parents were receiving extended child benefit in respect of them. It is likely that most of these young people would previously have been eligible for income support.

Mr. McLeish: To ask the Secretary of State for Social Security (1) what is the total number of 16 and 17-year olds who will be exempt from the withdrawal of entitlement to benefit covering lone parents, registered blind, incapable of work by reason of disease or mental or physical disability, pregnancy or couples married with a child for Scotland;

(2) what is the total number of 16 and 17-year-olds who will be exempt from the withdrawal of entitlement to benefit covering lone parents, registered blind, incapable of work by reason of disease or mental or physical disability, pregnancy or couples married with a child, for Wales and each of the standard regions.

Mr. Peter Lloyd: Such estimates as are available are given in the table:

	Estimated number of 16 and 17-year-olds entitled to Income Support without a direction from the Secretary of State under the "severe hardship" provision —September 1988
England	15,000
Scotland	2,000
Wales	2,000
Great Britain	19,000

Notes:

(1) Based on a sample of 1 in 50 cases in receipt of Supplementary Allowance on a day in May 1987.

(2) Figures rounded to the nearest thousand.

(3) Information is not available according to "standard regions."

Mr. Squire: To ask the Secretary of State for Social Security how many additional *(a)* families and *(b)* children will be eligible for income-related benefits as a result of the freeze in child benefit.

Mr. Peter Lloyd: In broad terms, the claimant caseload of the main income-related benefits is expected to increase by around 30,000 from April 1989 because child benefit will stay at its present level. These families include about 60,000 children.

Mr. Clay: To ask the Secretary of State for Social Security (1) if he will update the answer to the hon. Member for Dunfermline, East (Mr. Brown) 29 July, *Official Report*, column *832*, relating to child benefit;

(2) if he will update the answer to the hon. Member for Pembroke (Mr. Bennett) of 17 June, *Official Report*, column *371-72*, relating to child benefit.

Mr. Peter Lloyd: No later figures are available.

Social Fund (Software)

Mr. Worthington: To ask the Secretary of State for Social Security whether software programmes used to process information on the social fund are now providing accurate data.

Mr. Peter Lloyd: Various software errors have been corrected in successive releases. After the release of the version which is currently being tested, it is expected that in general statistical reports will accurately record the present month's figures. However, cumulative year to date figures will continue to be unreliable because of problems in earlier months.

Rating Reform

Mr. Blunkett: To ask the Secretary of State for Social Security what estimates he has made regarding the community charge liabilities of income support claimants based on *(a)* 1988-89 local authority expenditure, *(b)* projected local authority expenditure in 1989-90 and *(c)* projected local authority expenditure in 1990-91.

Mr. Peter Lloyd: The relevant issue when setting the income support rates for 1989-90 was the level of community charge that would have been payable had it been introduced nationally in that year. It took account of existing local authority expenditure. The compensation was a once and for all adjustment to the income support rates and will, in future, be uprated in the normal manner.

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will list in the *Official Report*, those local authorities which do not operate a local scheme for housing benefit covering war widows and pensioners.

Mr. Peter Lloyd: Local schemes for disregarding war widow and war pensioner benefits in excess of the £5 statutory disregard are entirely at the discretion of the local authority. The list has been compiled from the best information available to the Department.

Local authorities not operating a local scheme

Aberconwy
Allerdale
Alnwick
Alyn and Deeside
Arfan
Arun
Ashford
Babergh
Barnsley
Barrow in Furness
Basildon New Town
Basildon
Bassetlaw
Bath
Berwick upon Tweed
Beverley
Blaenau Gwent
Blyth Valley
Bolsover
Bolton
Boothferry
Brecknock
Bridgnorth
Bristol
Broadland
Bromsgrove
Cannock Chase
Caradan
Carmarthen
Carrick
Castle Morpeth
Cherwell
Chester le Street
Chichester
City of London
Clasthorpes
Colwyn
Cotswolds
Croydon
Cynon Valley
Dean
Derwentside
Dinefwr
East Northamptonshire
East Yorkshire
Eastbourne
Eldon
Epping Forest
Erewash
Gateshead
Gillingham
Glyndwr
Gravesham
Greenwich
Great Grimsby
Harrogate
Hastings
Holderness
Hove
Hyndburn
Ipswich
Isle of Anglesey
Isles of Scilly
Islwyn B C
Kensington and Chelsea
Kerrier
Kettering
Kingston Upon Hull
Leominster
Liverpool
Llanelli
Malvern Hills
Manchester
Mansfield
Merthyr Tydfil
Mid Devon
Mid Suffolk
Mid Sussex
Monmouth
Newcastle Under Lyme
Newcastle upon Tyne
North Devon
North East Derbyshire
North Norfolk
North Warwickshire
Northaven
Norwich
Nuneaton and Bedworth
Oswestry
Oxford
Pendle
Preseli
Preston
Purbeck
Reading
Redbridge
Restormel
Rhymney Valley
Rochdale
Rochester
Rochford
Rotherham
Rushmoor
Rutland
Salisbury
Scunthorpe
Sedgemore
Sevenoaks
Sheffield
Shrewsbury and Atcham
South Derbyshire
South Hams
South Herefordshire
South Kesteven
South Oxfordshire
South Pembrokeshire
South Shropshire
St. Albans
St. Edmundsbury
Stafford
Stockport
Stoke on Trent
Suffolk Coastal
Sunderland
Swansea
Taff Ely
Tamworth
Taunton Deane
Teeside
Teignbridge
Telford Development Corporation
Thanet
Torbay
Torfaen
Torridge
Trafford
Tynedale
Uttlesford
Wandsbeck
Warrington
Warrington and Runcorn Development Corporation
Warwick
Waverley
Wear Valley
Wellingborough
West Devon
West Dorset

West Lancashire
West Lindsey
West Oxfordshire
West Somerset
Worcester
Wrekin
Wrexham
Whych Avon
Wyre
Wyre Forest

Source: Based on 1988 returns provided by 447 of the 483 local authorities in Great Britain (93 per cent.).

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will extend transitional payments to cover losses incurred by war widows and pensioners as a result of changes to local option schemes for housing benefit, resulting from the 1988 housing benefit regulations.

Mr. Peter Lloyd: No. The new housing benefit scheme which was introduced in April 1988 did not make any changes to the rules that related to the local authority discretionary schemes for war widows and war pensioners. Furthermore, the statutory income disregard was increased by 25 per cent. Prior to this date, local authorities were able to disregard the whole or part of any war disablement pension or war widow's pension that was in payment and this was carried forward unaltered into the reformed housing benefit scheme. Where losses have occurred, this is because some local authorities have voluntarily amended their local schemes and thereby reduced the amount of housing benefit in payment.

Freeline Social Security Service

Mrs. Beckett: To ask the Secretary of State for Social Security how many inquiries have been received by the Freeline social security service in each of the past 12 months; and what information is available about the subject matter of those inquiries.

Mr. Peter Lloyd: The information for the 12 months to August 1988, the latest figures available is as follows:

Four weeks ending	*Freeline inquiries*
22 September 1987	55,940
20 October 1987	59,742
17 November 1987	58,216
15 December 1987	58,012
12 January 1988	42,318
9 February 1988	75,095
8 March 1988	64,809
5 April 1988	53,375
3 May 1988	54,665
31 May 1988	55,755
30 June 1988[1]*	65,661
31 July 1988	65,806
31 August 1988	77,403

[1] Statistics have been kept on a calendar month basis since June 1988.

A study of freeline caller-traffic conducted in February 1988 reported that approximately 50 per cent. of calls were about supplementary benefit (now replaced by income support, and the social fund); approximately 25 per cent. were about contributory benefit matters such as retirement pensions and contributions; and the remainder concerned a wide range of other non means-tested benefit such as attendance allowance and mobility allowance.

Community Care Grants

Mrs. Beckett: To ask the Secretary of State for Social Security which local offices of his Department had spent less than 10 per cent. of their community care grants budget for 1988-89 by the end of September.

Mr. Peter Lloyd: The 1988-89 social fund budget allocations for each of the Department's local offices, together with records of expenditure to the end of September 1988 are available in the Library. Details of the national profile of anticipated expenditure were given in my predecessor's reply to the hon. Member on 11 July 1988 at column *61*.

Supplementary Benefit

Mr. Squire: To ask the Secretary of State for Social Security if he will estimate what proportion of families with children claimed supplementary benefit at the latest available date.

Mr. Peter Lloyd: It is estimated that in May 1987, the latest date for which information is available, about 17 per cent. of families with a dependent child or young person aged under 19 were receiving supplementary benefit.

Spending Power

Mr. Squire: To ask the Secretary of State for Social Security if he will update the reply he gave to the then hon. Member for Kensington, of 4 February, *Official Report*, columns *737-42*, on spending power.

Mr. Scott: No. There was no prescribed procedure for uprating supplementary benefit, housing benefit or FIS —different elements of these schemes were uprated in different ways and by different indices at different times. It is, therefore, impossible to say what the rates of these benefits would have been in April 1989 if the reforms had not been introduced. A simple mechanistic uprating in line with the retail price indices would be unrealistic. The tax benefit model tables for April 1988 will be published shortly.

Widows

Mrs. Fyfe: To ask the Secretary of State for Social Security if he will introduce legislation to make entitlement to widows' pension have regard to job prospects or real earnings rather than chronological age.

Mr. Peter Lloyd: We have no plans to do so.

Mrs. Fyfe: To ask the Secretary of State for Social Security what percentage of widows *(a)* aged under 60 years *(b)* aged 45 to 54 years and *(c)* aged under 45 years have paid employment in Glasgow (i) full time and (ii) part time.

Mr. Peter Lloyd: I regret that the information requested is not available.

Mrs. Fyfe: To ask the Secretary of State for Social Security what percentage of widows receive help from an occupational pension relating to their late husband's employment.

Mr. Peter Lloyd: I regret that the information is not available in the form requested.

TRANSPORT

Channel Tunnel (Hazardous Waste)

Dr. Dafydd Elis Thomas: To ask the Secretary of State for Transport if his Department has undertaken any studies, or commissioned studies by consultants, on the potential safety and risk of the use of the Channel tunnel for the transport of spent nuclear fuel or other radioactive materials.

Mr. Portillo: When Eurotunnel put forward proposals covering the movement of dangerous goods and radioactive materials they will be considered by the intergovernmental commission established by the Channel tunnel treaty to oversee safety, and any necessary advice sought.

Vehicle Excise Duty (Refunds)

Mr. Robert Hughes: To ask the Secretary of State for Transport if he will list for each of the last 12 months the number of car road licences refunded by the Driver and Vehicle Licensing Centre, the value of those refunds in each month and the average refund in each month.

Mr. Peter Bottomley: The numbers and amounts of refunds of vehicle excise duty paid in respect of vehicles in the private and light goods tax class within Great Britain during the most recent 12 months for which figures are available, are as follows:

Month	*Total number refunds*	*Total value of refunds* £	*Average refund value* £
September 1987	227,553	8,912,076	39·16
October 1987	234,943	9,110,219	38·78
November 1987	204,732	7,914,452	38·66
December 1987	165,201	6,363,237	38·52
January 1988	169,149	6,157,484	36·40
February 1988	199,080	7,452,494	37·43
March 1988	210,759	8,047,349	38·18
April 1988	202,120	7,743,124	38·31
May 1988	199,059	7,538,781	37·87
June 1988	214,232	8,071,372	37·68
July 1988	204,511	7,568,206	37·01
August 1988	176,594	6,872,642	38·92

Mr. Robert Hughes: To ask the Secretary of State for Transport if he will list the number of car road licences that have been refunded in each of the last three years, showing the total value of refunds in each of those years.

Mr. Peter Bottomley: The total number and value of refunds of vehicle excise duty paid in respect of vehicles in the private and light goods tax class within Great Britain in each of the last three complete financial years, are as follows:

Financial year	*Number of refunds*	*Total value of refunds*
1985-86	2,050,029	75,686,700
1986-87	2,220,244	84,996,987
1987-88	2,340,614	89,511,278

Approved Road Schemes

Mr. Spearing: To ask the Secretary of State for Transport if he will state the procedure he uses to re-assess the calculated yield of approved road schemes when tenders exceed the estimated figure used to justify the initial decision to construct the road; and what steps he takes when lowest tenders, if accepted in the contract, decrease the consequential yield to below the original qualifying figure.

Mr. Peter Bottomley: Decisions to proceed with schemes are based on successive appraisals of their economics and other factors. Cost estimates are monitored and, when appropriate, the implications of changes for decisions are reviewed. When the lowest tender price significantly exceeds the Department's latest estimate, the situation is reviewed taking into account the relevant factors including the economic appraisal.

London Underground Ltd.

Mr. Dobson: To ask the Secretary of State for Transport whether London Underground Ltd. is required to submit to his Department plans for platforms, stairs, lifts, escalators and moving pavements.

Mr. Portillo: Yes, where they are part of a new station or where they significantly alter existing arrangements.

Mr. Dobson: To ask the Secretary of State for Transport if he will make it his policy to require investment submissions passed to his Department by London Underground Ltd. for financial approval to include a sentence drawing attention to any significant safety issues.

Mr. Portillo: London Regional Transport and its subsidiaries are already under a statutory obligation to have due regard to safety in all that they do. All investment appraisals submitted to the Department for approval which may have safety implications are reviewed by the railway inspectorate.

Railway Inspectorate

Mr. Dobson: To ask the Secretary of State for Transport what effect the level of resources of the railway inspectorate has on the level of inspections by it.

Mr. Portillo: The current indications are that the latest recruitment campaign will be successful in bringing the railway inspectorate up to established complement. The adequacy of this complement will be kept under review.

London Regional Transport

Mr. Dobson: To ask the Secretary of State for Transport what objectives or principles have been set for London Regional Transport by him, or his predecessors.

Mr. Portillo: London Regional Transport was set objectives on 20 July 1984. These were reproduced in a reply given to my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) on that day at columns *373-74*.

London Underground (Ticketing)

Mr. Dobson: To ask the Secretary of State for Transport what consideration has been given by the railway inspectorate or any other part of his Department to the safety aspects of the underground ticketing system being installed on London Underground.

Mr. Portillo: The railway inspectorate has been in close touch with London Underground Ltd. about safety aspects of the new ticketing system.

Mr. Dobson: To ask the Secretary of State for Transport what advice has been given to London Underground Ltd. by the railway inspectorate in the last five years about the need for contractors works *(a)* to be safe from fire and *(b)* not to obstruct fire hydrants and other safety features.

Mr. Portillo: The safety rules and contract procedures of London Underground Ltd. provide instructions for contractors on these matters. If in the course of an inspection work is seen to be causing a hazard, the inspector will take appropriate action.

Mr. Dobson: To ask the Secretary of State for Transport what was the professional establishment of the railway inspectorate; and how many posts were vacant in *(a)* November 1987 and *(b)* October 1988.

Mr. Portillo: The professional establishment of the railway inspectorate is 24. There were five vacancies in November 1987 and seven in October 1988. A recent recruitment exercise has resulted in enough successful candidates declared to fill the vacancies.

Tyne and Wear Metro

Mr. Dobson: To ask the Secretary of State for Transport what aspect of the railway inspectorate's knowledge and experience of the modern fire protection arrangements on the Tyne and Wear metro had been applied to London Underground between the opening of the metro and the King's Cross fire.

Mr. Portillo: Aspects of the railway inspectorate's knowledge and experience of modern fire protection arrangements on home and overseas metros applied to London Underground included, among others, the need to involve the fire authority in new construction from the early design stage, the use of tunnel fans to control smoke, the use of dry mains through tunnels and the specification of materials used in new construction.

Mr. Dobson: To ask the Secretary of State for Transport whether the railway inspectorate was consulted by London Underground Ltd. about the flammability of materials used in booking halls.

Mr. Portillo: The use of materials throughout the Underground is regulated by reference to London Underground's own code of practice. From time to time the railway inspectorate has been consulted about specific materials or applications.

Mr. Dobson: To ask the Secretary of State for Transport why the objectives and targets set for British Rail and London Underground Ltd. have not to date included the reduction of accidents.

Mr. Portillo: Safety is a prime objective for British Rail and London Regional Transport. It is then for the railway operators to decide whether specific targets in terms of accident reduction are a useful means to that objective.

Mr. Dobson: To ask the Secretary of State for Transport further to the answer of 8 December 1987 to the hon. Member for Holborn and St. Pancras, *Official Report*, column 121, how much time the railway inspectorate devotes to judging the standards of safety which should be incorporated in investment in London Underground Ltd.

Mr. Portillo: Where an investment proposal for London Underground Ltd. involves matters which have safety implications the railway inspectorate is consulted. It is impossible to say precisely how much time is devoted to this work.

Safety Inspections (Railways)

Mr. Dobson: To ask the Secretary of State for Transport what assessment he had made as to the reasons why the level of safety inspections on the railways under the Health and Safety at Work etc. Act is lower than safety policing in other industries.

Mr. Portillo: The report on the departmental review of the railway inspectorate, in April 1987, noted some evidence to suggest that the number of inspections on the railways is low in comparison with some other industries. Such comparisons may be misleading but the report recommended a further review of the level of inspections and this is receiving careful consideration along with the other recommendations in the report.

Highway Engineering Schemes

Mr. Sheerman: To ask the Secretary of State for Transport what steps he is taking to increase the rate of implementation of those low cost highway engineering schemes which have been identified for implementation on trunk roads which form part of the backlog of 3,900 low cost schemes identified by the National Audit Office in June.

Mr. Peter Bottomley: The 3,900 backlog mentioned by the National Audit Office was on local not trunk roads. As far as trunk roads are concerned, in rephasing new construction schemes this year, we have given priority to low-cost accident prevention schemes. The basis for the National Audit Office figure is not clear from its report. We are seeking more details of the scale and nature of the problem.

Highway Construction

Mr. Sheerman: To ask the Secretary of State for Transport what is the average casualty reduction benefit for *(a)* highway construction schemes and *(b)* low-cost AIP schemes.

Mr. Peter Bottomley:

(a) The proportion of scheme benefits accounted for by accident savings in the average highway scheme appraised by the Department's COBA method is 17 per cent.

(b) Individual AIP schemes offer casualty savings of between 15 per cent. and 80 per cent. with an average of 33 per cent. Most schemes pay for themselves in less than two years. Many do so within 12 months, giving a rate of return of 200 per cent. or more.

AIP techniques are the most cost-effective proven way of saving casualties and are economically highly efficient. We estimate that if AIP schemes were implemented vigorously by all local authorities, 200-300 lives and about 15,000 injuries a year might be saved.

Contraflows (Cones)

Mr. Rooker: To ask the Secretary of State for Transport what assessment he has made as to whether the current design of cones used in contraflow areas of motorways maximises road safety; and if any alternative designs have been used or considered.

Mr. Peter Bottomley: The transport and road research laboratory studied the safety performance of traffic management at major roadworks on motorways in 1982. The results are published in research report 42. TRRL subsequently concluded that more detailed assessments of the kind referred to would not be cost-effective. One alternative design, the flat traffic delineator, has been proposed, considered and used.

Written Answers to Questions

Tuesday 8 November 1988

NATIONAL FINANCE

Taxation and Social Security

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the percentage of gross national product at factor cost taken by total taxes and social security contributions, respectively, in the current financial year and in 1973.

Mr. Major: Total taxes and social security contributions were 33·2 per cent. of gross domestic product at market prices in the financial year 1973-74. The equivalent percentage for 1988-89 implied by the economic forecast published by the Treasury on 1 November is 37·4 per cent.

Output Statistics

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will bring up to date the figures for output per head of the working population given in his answer dated 2 March 1987, *Official Report*, column *521*, including an estimate for the current year; and if he will add broadly comparable figures for 1958, 1963 and 1968 together with the average annual increase between 1958 and 1973, 1973 and 1988, and 1979 and 1988.

Mr. Major: The information requested is given in the table:

Output per head of workforce excluding class 13
(1985 = 100)

Year	*Output*
1959	69·2
1963	74·8
1968	87·3
1972	95·1
1973	99·1
1974	97·6
1975	94·8
1976	95·6
1977	96·8
1978	99·2
1979	99·9
1980	96·2
1981	94·4
1982	95·8
1983	98·4
1984	98·4
1985	100·0
1986	102·1
1987	106·5

Year	*Average annual increase Per cent.*
1959 to 1973	2·6
1973 to 1987	0·5
1979 to 1987	0·8

Notes:
1. Based on mid-year estimates of the workforce.
2. 1959 is given as the first year because consistent figures on employees are not available earlier.
3. Figures on output for 1988 are not yet available.
4. Figures refer to United Kingdom.

EC (Funding)

Mr. Spearing: To ask the Chancellor of the Exchequer if, pursuant to the statement of the Paymaster General, *Official Report*, 24 October, column 122, he will list in the *Official Report* the names of the current or forthcoming Government publications, notices or statements that will publish information concerning the operation of the new funding mechanisms of the European Economic Communities, as set out in the *Official Report*, 24 October, column 75.

Mr. Brooke: Information on the Community budget is published in the annual statements on the Community budget, the public expenditure White Paper, the autumn statement and the six-monthly White Papers on developments in the Community, as well as being provided from time to time in statements to Parliament following relevant meetings of the Council of Ministers and in reply to specific questions from hon. and right hon. Members. Information on the budget is also published by the European Commission, for example in its recent publications "Financial Report: 1987" and "The Community Budget: The Facts in Figures".

Any proposals for Community legislation will continue to be deposited in Parliament with explanatory memoranda, and once adopted such proposals are published in the official journal of the European Communities which is made available to Parliament. I have already written to the hon. Member, following the debate on 24 October, to explain the position in rather more detail.

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what was the gross payment made to the European Economic Community by the United Kingdom in 1987-88; what sums were received from the European Economic Community; and under what categories the European Economic Community receipts can be classified.

Mr. Brooke: The information requested is set out in the table:

		1987-88 Outturn (£ million)
Gross Payments		4,906
VAT abatement		−1,137
		3,769
Public Sector Receipts:		
Agriculture Guidance and Guarantee Fund	1,054	
Social Fund	384	
Regional Development Fund	365	
Own Resources Collection Costs	135	
Other Receipts	19	−1,957
Net contribution to European Community budget		1,812
Receipts from ECSC		−57
Contributions to the EIB		10
Payments to the EC budget attributed to the aid programme		−101
Net payments to EC institutions		1,664

Local Authorities (Cash Limits)

Mr. Yeo: To ask the Chancellor of the Exchequer what plans he has for cash limits on local authority capital spending.

Mr. Major: As already announced, the Government plan to introduce with effect from 1990-91 the new public expenditure planning total set out in Command 441 and, subject to the approval of Parliament, a new system to regulate the capital finance of local authorities in England and Wales about which my right hon. Friends the Secretaries of State for the Environment and for Wales have consulted local government. The Government's broad intention is that, with effect from 1990-91, cash limits should be applied to the sources of finance for local authority capital expenditure which fall within the new planning total. The main existing cash limits on local authority capital spending in England and Wales (DOE/LA1 and WO/LA1) apply to expenditure net of receipts. With the recent surge in receipts, and given the difficulties of predicting future levels of receipts, these cash limits are no longer appropriate as instruments of financial management and control. Subject to consultation with the local authority associations, therefore, the Government propose that these cash limits, and the associated end-year flexibility and penalty arrangements, should be discontinued with effect from the current financial year.

Personal Equity Plans

Mr. Tim Smith: To ask the Chancellor of the Exchequer how many personal equity plans have been taken out in 1988 to date; what was the comparable figure in 1987; what was the total figure for 1987; and what was the original Treasury forecast of take-up for 1987.

Mr. Norman Lamont *[holding answer 2 November 1988]:* About 100,000 personal equity plans have been started so far in 1988. The comparable figure for 1987 was about twice that, and the full-year total was over 250,000.

When personal equity plans were announced in the 1986 Budget it was recognised that take-up would be heavily influenced by external factors. The estimated cost of the scheme assumed that take-up could reach 500,000 in the first year.

Child Benefit

Sir Ian Gilmour: To ask the Chancellor of the Exchequer how much of the expenditure on child benefit goes to families who pay (i) more and (ii) less in income tax than they receive in child benefit.

Mr. Lawson *[holding answer 1 November 1988]:* In 1988-89, child benefit payments are estimated to be about £4·7 billion. Of this, about 70 per cent. will be paid to families whose income tax liability exceeds their child benefit and 30 per cent. will be paid to non-taxpayers and those whose income tax is less than their child benefit.

WALES

Water Industry Privatisation

Mr. Ray Powell: To ask the Secretary of State for Wales what instructions have been given to the chairman of the Welsh water authority in respect of setting up shadow organisations to implement plans for privatising the water industry in Wales; who will be responsible for the costs related to this; and on what authority such costs will be incurred.

Mr. Grist: The Public Utility Transfers and Water Charges Act 1988 gave the Welsh water authority the power to act in relation to proposals for privatisation. The costs incurred are a matter for the authority. I wrote to the chairman of the Welsh water authority on 11 May 1988 inviting him to submit, on behalf of the authority, in accordance with guidelines issued with my letter, a scheme to provide for the separation of the utility functions from those to be transferred to the National Rivers Authority. Copies of the guidelines were laid in the Libraries of both Houses.

Speech Therapists

170. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales what steps he has taken to ensure proper training and recruitment of speech therapists in each area health authority in Wales.

Mr. Grist: Training in speech therapy is provided in Wales at the South Glamorgan institute of higher education and in England at a number of higher education institutions in the public sector. As with other courses of higher education, students are recruited on a national basis. The South Glamorgan institute trains students from all parts of Wales, but many Welsh students train in England.

The recruitment of speech therapists locally is essentially a matter for the district health authority concerned, but my Department does have a strategic role at the all-Wales level in ensuring as far as possible that the identified staffing requirements of the NHS in Wales are met. Speech therapists are among those groups which have been the subject of detailed scrutiny in the first round of the manpower resource planning exercise undertaken by the Health Service in Wales this year. As part of the exercise, initiated by the manpower steering group established by the Department in 1986, health authorities were requested to make projections of future manpower requirements, including demand and supply estimates, over the next decade. A report on the outcome of that first planning round is being finalised, following which consideration will be given to its findings to determine the need and scope for action at the all-Wales and district levels to forestall any projected manpower difficulties.

Cardigan Hospital

Mr. Geraint Howells: To ask the Secretary of State for Wales if he has any further plans to improve health care facilities for the elderly at Cardigan hospital; and if he will make a statement.

Mr. Grist: The facilities at Cardigan hospital are a matter for East Dyfed health authority in the first instance. That authority's strategic plan includes a scheme to improve and co-ordinate services for the elderly in the Cardigan area by, inter alia, providing consultant geriatrician beds and a day hospital at Cardigan hospital. Timing of the implementation of the scheme is a matter for the authority to determine in the light of competing demands and available resources.

Lithotripsy Machines

Mr. Barry Jones: To ask the Secretary of State for Wales if, in the light of the additional moneys made available to the National Health Service in Wales, he will enable the joint purchase by the Welsh health authorities of two advanced lithotripsy machines to enable Welsh people to undergo treatment in Wales both north and south.

Mr. Grist: Lithotripsy is a developing technology which is being monitored by the Department. Consideration is presently being given to proposals for the provision of a service in Wales.

ENERGY

CEGB (Emissions)

Mr. Allen: To ask the Secretary of State for Energy what steps he will take to ensure that the Central Electricity Generating Board complies with the European Community directive on sulphur dioxide and nitrogen oxide emissions.

Mr. Michael Spicer: Her Majesty's inspectorate of pollution will continue to be responsible for ensuring that emissions standards are complied with.

Electricity Privatisation

Mr. Allen: To ask the Secretary of State for Energy if, under the proposals for privatisation of the electricity industry, he will introduce a legal requirement to decommission nuclear power plant and clear the site as soon as practicable.

Mr. Michael Spicer: No. The timing of decommissioning operations is a matter for the nuclear power station operator to consider within the guidelines on safety and environmental protection set by the Health and Safety Executive's nuclear installations inspectorate and Her Majesty's inspectorate of pollution.

Advance Gas-cooled Reactors

Mr. Allen: To ask the Secretary of State for Energy if he will procure for his Department's library a copy of the analysis, by physicist Richard Webb, concerning the circulation of the cooling gas in advanced gas reactors.

Mr. Parkinson: Consideration will be given to procuring, for my Department's library, a copy of the analysis once it has been published.

Euratom (Safeguards)

Dr. Thomas: To ask the Secretary of State for Energy whether he intends to discuss any security implications with the European Commission following the announcement by Commissioner Mosar to the European Parliament on 26 October that Euratom will publish henceforth an annual safeguards report for public distribution; and how publication of this report will effect confidentiality agreements contained in current Euratom United Kingdom safeguard treaties.

Mr. Michael Spicer: The Commission has made it clear that it will respect the need to protect confidential information when producing any such report.

Power Stations

Mr. Leadbitter: To ask the Secretary of State for Energy (1) if his proposals for the privatisation of the electricity industry will include any policy on a power station construction programme responding to environmental needs; and if he will make a statement;

(2) if he will make a statement on the power station construction requirement over the next 20 years; what numbers are expected to be nuclear, gas, oil and coal fuelled; how he expects these to be determined under privatisation; and how he expects environmental considerations and the greenhouse effect to play a part in the programme.

Mr. Michael Spicer: The CEGB envisages that 15·5 GW of new generating capacity will be required in England and Wales by the end of the century. The demand for new plant is expected to increase early in the next century as existing power stations reach the end of their operational lives. Following privatisation, the size and type of new power stations required to meet demand will be a matter for the privatised industry. The CEGB's present plans include the commissioning of four PWRs by the year 2000. Nuclear stations do not contribute to acid rain and have the potential to make an important contribution to containing the United Kingdom's carbon dioxide emissions. However, the impact of the United Kingdom's power stations alone on the worldwide greenhouse effect is small. Any new coal-fired power stations would need to be fitted with modern emission control equipment to the requirements of Her Majesty's inspectorate of pollution.

Plutonium Exports

Dr. Thomas: To ask the Secretary of State for Energy whether he has given any approvals for the export of plutonium to *(a)* the United States of America, *(b)* Japan, *(c)* European Community Council members states and *(d)* other European states since May 1979; and if he will list details in the *Official Report*.

Mr. Michael Spicer *[holding answer 26 October 1988]:* I refer the hon. Member to the answer given by my hon. Friend the Member for Eddisbury (Mr. Goodlad) on 18 February 1987 at column *635*. This covered all exports of plutonium other than in gram quantities to the destinations mentioned by the hon. Member. The total amount of such exports between May 1979 and March 1988 was 2,960 kg.

EDUCATION AND SCIENCE

Environmental Research

7. **Mr. Barry Jones:** To ask the Secretary of State for Education and Science if he has instructed the Natural Environment Research Council to increase its planned future expenditure on environmental research since 27 September.

Mr. Jackson: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Dundee, West (Mr. Ross).

60. **Mr. Ron Davies:** To ask the Secretary of State for Education and Science whether he has any plans to increase spending in higher education on research into environmental issues; and if he will make a statement.

Mr. Jackson: The main elements of public funding for higher education institutions' research on environmental issues are general grants from the University Grants Committee (shortly to be succeeded by the Universities Funding Council) and grants for specific research projects from the Natural Environment Research Council. My right hon. Friend is seeking advice from the Advisory Board for the Research Councils on the distribution between scientific fields of the substantial extra funds for science he announced on 1 November at column *605*.

National Curriculum

14. **Mr. Amos:** To ask the Secretary of State for Education and Science whether he is in a position to make a statement on the progress of the working parties on the national curriculum.

Mrs. Rumbold: The three subject working groups which my right hon. Friend has set up have reported in good time to enable us to press ahead with our national curriculum objectives.

27. **Mr. Boswell:** To ask the Secretary of State for Education and Science what further progress he has made on the introduction of the national curriculum.

Mrs. Rumbold: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Rutland and Melton (Mr. Latham).

40. **Mr. Devlin:** To ask the Secretary of State for Education and Science what response he has received to the publication of the national curriculum working party report on mathematics.

54. **Mr. John Greenway:** To ask the Secretary of State for Education and Science what responses he has had thus far to the report of the national curriculum working party on science.

Mrs. Rumbold: My right hon. Friend is awaiting advice on his proposals for mathematics and for science from the National Curriculum Council which has statutory responsibility for consultation. The proposals were based on the recommendations of the mathematics and science working groups. The NCC's advice is due by the end of November.

43. **Mr. Fearn:** To ask the Secretary of State for Education and Science if he will make a statement on the suitability of school teachers' qualifications and training in relation to the implementation of the national curriculum from September 1989.

Mrs. Rumbold: I refer the hon. Member to my right hon. Friend's reply to my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) on 4 November at column *783*.

45. **Mr. Bill Michie:** To ask the Secretary of State for Education and Science whether his Department has made any estimate of the number and type of teachers required to teach the national curriculum; and if he will make a statement.

Mr. Flynn: To ask the Secretary of State for Education and Science whether his Department has made any estimates of the number and type of teachers required to teach the national curriculum; and if he will make a statement.

Mr. Butcher: The national curriculum will change the pattern of demand for teachers. At secondary level, there will be additional demand for teachers in some subjects and a reduction in others. Work on estimating future demand continues all the time, but firm estimates cannot be made until we have a clear picture of national curriculum requirements subject by subject.

School Management

15. **Mr. McLoughlin:** To ask the Secretary of State for Education and Science what assessment he has made of progress towards local management of schools; and if he will make a statement.

Mr. Butcher: I am pleased to say that bids under the education support grant programme show that all local education authorities are working constructively to prepare schemes of local management, for submission to my right hon. Friend by 30 September 1989 for those authorities outside inner London. We are thus on target for approved schemes to start in April 1990 with full implementation from April 1993.

Truancy

16. **Miss Lestor:** To ask the Secretary of State for Education and Science if he will list for each local education authority the figures for truancy for children in secondary schools; and if he will make a statement.

Mr. Butcher: This information is not available centrally. Under the Education Acts, responsibility for taking action on truancy rests with local education authorities.

City Technology Colleges

17. **Mr. David Evans:** To ask the Secretary of State for Education and Science what is the total amount of funding for city technology colleges committed thus far by sponsors.

Mr. Morley: To ask the Secretary of State for Education and Science whether he will make a statement on the latest progress of his proposals for city technology colleges.

Mrs. Rumbold: I refer my hon. Friend and the hon. Gentleman to the answer which my right hon. Friend gave earlier today to my hon. Friend the Member for Gedling (Mr. Mitchell).

Universities Funding Council

18. **Mr. Battle:** To ask the Secretary of State for Education and Science when he last met the chairman-designate of the Universities Funding Council to discuss financial arrangements for higher educaton.

24. **Mr. Lofthouse:** To ask the Secretary of State for Education and Science when he last met the chairman-designate of the Universities Funding Council to discuss university funding.

72. **Mr. Stott:** To ask the Secretary of State for Education and Science when he proposes next to meet the chairman and chief executive designates of the Universities Funding Council to discuss the funding of higher education.

Mr. Jackson: We have had discussions on a range of issues with the chairman of the Universities Funding Council, Lord Chilver. These will continue. In addition, my right hon. Friend wrote to him on 31 October to give some general guidance to the council on its funding responsibilities.

Teacher Training

19. **Mr. Patrick Thompson:** To ask the Secretary of State for Education and Science if he will give figures for the number of teachers who will receive training during 1988-89.

Mrs. Rumbold: An estimated 35,000 students will be undertaking initial teacher training courses of between one and four years duration in universities, polytechnics and colleges in England. All the approximately 400,000 serving teachers in maintained schools in England will have the opportunity of some in-service training.

Teachers (Pay and Conditions)

20. **Mr. Roy Hughes:** To ask the Secretary of State for Education and Science what representations he has received seeking improvements in the pay and conditions of teachers.

Mrs. Rumbold: The Department has received approximately 600 letters since last April about the pay and conditions of school teachers.

Parent Governors (ILEA)

21. **Mr. Evennett:** To ask the Secretary of State for Education and Science what information he has as to how many parent governors have been appointed in the Inner London education authority.

Mrs. Rumbold: There were just under 2,000 parent governor seats to be filled in county and maintained special schools in the Inner London education authority. I understand that virtually all these places have been filled.

Assisted Places Scheme

22. **Mr. Flannery:** To ask the Secretary of State for Education and Science what has been the cost of the assisted places scheme for each year since its inception; and what is the total cost since the scheme began.

Mr. Butcher: The information requested is as follows:

Financial year	*Expenditure £ million*
1981-82	3·0
1982-83	8·7
1983-84	15·0
1984-85	22·2
1985-86	29·6
1986-87	37·9
1987-88	46·0
Total	162·4

GCSE

23. **Mr. Anthony Coombs:** To ask the Secretary of State for Education and Science what representations he has received concerning the recently published results for the new GCSE examination.

Mrs. Rumbold: My right hon. Friend has received a number of representations about GCSE examination results. I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh).

26. **Mr. Jack:** To ask the Secretary of State for Education and Science what is his Department's assessment of the first year results of the GCSE examination.

35. **Mr. Ian Bruce:** To ask the Secretary of State for Education and Science if he will make a further statement on the progress of the introduction of the GCSE examinations.

68. **Mr. Riddick:** To ask the Secretary of State for Education and Science if he will make a statement on the way in which the GCSE exams have proceeded.

Mrs. Rumbold: I refer my hon. Friends to the reply I gave earlier today to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh).

46. **Mr. Speller:** To ask the Secretary of State for Education and Science what steps he is taking to assess the performance of students within Devon education authority at general certificate of secondary education level; and if he will make a statement.

Mrs. Rumbold: It is for the Devon education authority and individual schools to assess the implications of the GCSE achievements of their pupils for school and local authority policies and practices. I hope that they will have particular regard to the recently published national report on the introduction of the GCSE from Her Majesty's inspectorate, as well as their own monitoring, and consider ways in which they can contribute to improving the GCSE.

50. **Mr. Ken Hargreaves:** To ask the Secretary of State for Education and Science what response he has received from teachers' organisations concerning the GCSE examinations; and if he will make a statement.

Mrs. Rumbold: Ministers and officials have had discussions with teacher organisations on the introduction of the GCSE on a number of occasions. I welcome their continuing contribution to improving the GCSE.

61. **Mr. Martlew:** To ask the Secretary of State for Education and Science whether he has any plans to discuss with local education authorities the provision of resources for the GCSE examination; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend has discussed the resource implications of the introduction of the GCSE with representatives of the local authorities on a number of occasions. The Government's expenditure plans for 1987-88 and 1988-89 allowed in full for what the local authorities themselves said would be needed. The expenditure plans for 1989-90 announced by my right hon. Friend the Chancellor of the Exchequer in his autumn statement take account of the continuing needs of schools now that the GCSE has been successfully introduced.

77. **Mr. Stern:** To ask the Secretary of State for Education and Science if he plans to make any alterations in 1989 in the arrangements for the publication of GCSE results.

Mrs. Rumbold: The issuing of GCSE results is the responsibility of the independent GCSE examining groups. My right hon. Friend has made clear to them that late results cannot be tolerated. The groups have undertaken to improve their administrative arrangements for next year.

Schools (Opting Out)

28. **Mr. Tony Lloyd:** To ask the Secretary of State for Education and Science what advice he gives to local education authorities which are in the process of reorganising secondary education about opting out by secondary schools.

Mr. Butcher: My right hon. Friend has made it clear that local education authorities remain responsible for the organisation of educational provision within their areas and should continue to take steps to rationalise provision where appropriate in accordance with the guidance in the Department's circular 3/87. If a school does not have a viable future as a local authority-maintained school its governors are unlikely to be able to convince my right hon. Friend that it would become viable as a grant-maintained school.

64. **Mr. John L. Marshall:** To ask the Secretary of State for Education and Science if he will make a statement about the current number of schools showing an interest in the opting-out provisions of the Education Act 1988.

Mrs. Rumbold: I refer my hon. Friend to the answer my right hon. Friend gave earlier today to my hon. Friend the Member for Bolton, North-East (Mr. Thurnham).

Special Educational Needs

29. **Mr. Hannam:** To ask the Secretary of State for Education and Science how he proposes to ensure that the interests of children with special educational needs are represented on school governing bodies.

Mrs. Rumbold: Governors have a specific responsibility under the 1981 Education Act to ensure that appropriate provision is made for children with special educational needs.

Polytechnic Students

25. **Miss Emma Nicholson:** To ask the Secretary of State for Education and Science how many students are currently enrolled in polytechnics in the United Kingdom; and what are his projections for the numbers for the next five years.

Mr. Jackson: Information for higher education student numbers at polytechnics and colleges in Great Britain is shown in the table.

Thousands

	Academic year beginning in					
	1987 provisional	*1988*	*1989*	*1990 projected*	*1991*	*1992*
Full-time and part-time students	330	338	351	356	356	352

Salaries

30. **Mr. Harry Greenway:** To ask the Secretary of State for Education and Science if he will make a statement on his future plans for the salaries of heads, deputy heads and other teachers.

Mrs. Rumbold: My right hon. Friend gave the interim advisory committee on school teachers' pay and conditions its remit for 1989-90 in September. The remit specifically asked the committee to give advice on what modifications should be made to the pay of heads and deputies, taking into account in particular the introduction of local management schemes for schools. The remit also asked the committee to give advice on what the general pay increase to all teachers should be and what modifications should be made to the system of selective payments. The committee is due to report to my right hon. Friend by mid-February at the latest.

Students (Higher Education)

31. **Mr. Franks:** To ask the Secretary of State for Education and Science what are the current numbers of students entering universities and polytechnics in the current year; and if he will make a statement.

Mr. Jackson: The numbers of home initial entrants to universities and other higher education institutions in Great Britain in 1987, the latest year for which figures are available, are provisionally estimated at 72,000 and 98,000 respectively. The total is the highest ever, and the Government remain committed to the further widening of access to higher education.

Grammar Schools (Admission Policy)

32. **Mr. Barry Porter:** To ask the Secretary of State for Education and Science what guidance he has given to local education authorities regarding priority admission for local pupils to grammar schools which have set an entry standard and are now subject to more open enrolment as a result of the Education Act 1988.

Mr. Butcher: The Department's circular No. 11/88, offering guidance on the admission of pupils to county and voluntary schools, issued to all local education authorities and others concerned on 20 October. Under the provisions of the Education Reform Act, local education authorities and school governors will still be able to operate whatever selection arrangements seem appropriate for deciding which pupils are suitable for a grammar school education, but they will not be able to set an admissions limit for those pupils which is below a school's assessed capacity. If the school does not have the capacity to admit all the eligible applicants, priority may be decided in accordance with any reasonable criteria, published beforehand. Such criteria might, for example, give priority to applicants living nearest to the school.

School Playgrounds

33. **Mr. Colin Shepherd:** To ask the Secretary of State for Education and Science if he has any plans to seek to improve the standards of safety provision in school playgrounds.

Mr. Butcher: Safety standards are primarily the responsibility of the local education authority concerned. My Department has sought information from authorities

about safety in school playgrounds; it is not yet clear whether guidance on achieving higher standards of safety is required. The situation is under review in consultation with the Health and Safety Executive.

School Governing Bodies

34. **Dr. Twinn:** To ask the Secretary of State for Education and Science what information he has on the appointment of governing bodies for schools under the terms of the Education Act 1986.

Mrs. Rumbold: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Saffron Walden (Mr. Haselhurst).

Senior Civil Servants

36. **Mr. Greenit:** To ask the Secretary of State for Education and Science whether he has any plans to seek to increase the numbers of his senior civil servants who were educated at state schools.

Mrs. Rumbold: Senior civil servants reach their rank on the basis of their performance. This will continue to be the case.

School Closures

37. **Mr. Murphy:** To ask the Secretary of State for Education and Science whether he will review the procedures for school closures; and if he will make a statement.

Mr. Butcher: I refer the hon. Member to the reply I gave earlier today to the hon. Member for Bristol, South (Ms. Primarolo).

Mr. Straw: To ask the Secretary of State for Education and Science if, pursuant to his answer to the hon. Member for Blackburn, on 20 October, *Official Report*, column 1000, he will place in the Library a copy of his letter of reply and enclosures relating to school closures and reorganisations.

Mr. Kenneth Baker: I am arranging for a copy of my reply and enclosures to be placed in the Library.

Student Finance

38. **Mr. Steinberg:** To ask the Secretary of State for Education and Science when he expects to publish his report on student finance; and if he will make a statement.

49. **Mr. Nellist:** To ask the Secretary of State for Education and Science when he intends to publish his White Paper concerning student loans; and if he will make a statement.

73. **Mr. Hinchliffe:** To ask the Secretary of State for Education and Science when he expects to publish his report on student finance; and if he will make a statement.

Mr. Wigley: To ask the Secretary of State for Education and Science if he will make a statement on his Department's plans with regard to financial support for students in higher and further education.

Mr. Jackson: I refer the hon. Members to the answer my right hon. Friend gave earlier today to the hon. Member for Berwick-upon-Tweed (Mr. Beith).

Teachers (Recruitment)

39. **Mrs. Mahon:** To ask the Secretary of State for Education and Science whether he has any plans to increase recruitment to the teaching profession; and if he will make a statement.

Mr. Pike: To ask the Secretary of State for Education and Science whether he has any plans to increase recruitment to the teaching profession; and if he will make a statement.

Mr. Butcher: The Government already have an energetic campaign, focused on the secondary shortage subjects, to increase recruitment to teaching. The campaign includes a special bursary of £1,300 for trainee teachers of mathematics, physics, CDT and technology, and vigorous publicity and recruitment activities. The latter are directed by our teaching as a career unit (TASC) which is actively promoting teaching as a career to undergraduates, to school pupils and to older people contemplating a career change.

52. **Mr. Illsley:** To ask the Secretary of State for Education and Science whether he has any plans to meet representatives of local education authorities to discuss the recruitment of teachers; and if he will make a statement.

Mr. Butcher: My right hon. Friend has no such plans at present, but officials hold such meetings from time to time to discuss these matters. Our teacher recruitment activities are spearheaded by the teaching as a career unit (TASC) which operates in conjunction with the local authority associations and whose members work very closely with individual education authorities. The unit has recently completed a series of regional seminars to discuss recruitment policies with authorities.

16-Year-Olds (Further Education)

41. **Mr. Henderson:** To ask the Secretary of State for Education and Science whether he has any plans to seek to increase the staying-on rate at the age of 16 years; and if he will make a statement.

71. **Ms. Armstrong:** To ask the Secretary of State for Education and Science whether he has any plans to seek to increase the staying-on rate at the age of 16-years; and if he will make a statement.

Mr. Jackson: I refer the hon. Members to the reply which my hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold) gave to the hon. Members for Burnley (Mr. Pike) and for Barnsley, Central (Mr. Illsley) on 21 June at column 530.

Research

42. **Mr. Allen McKay:** To ask the Secretary of State for Education and Science what was the expenditure on research commissioned by Government Departments, other than through the science budget of the Natural Environment Research Council in 1986-87, 1987-88 and planned for 1988-89, all in 1988-89 prices.

Mr. Jackson: The figures at 1988-89 prices are as follows:

	£ million
1986-87	25·9
1987-88	22·9
1988-89	20·1

Foreign Language Teaching

44. **Mr. Holt:** To ask the Secretary of State for Education and Science in how many *(a)* primary, *(b)* secondary and *(c)* higher schools/colleges/universities (i) Japanese, (ii) Chinese, (iii) Arabic and (iv) Korean will be taught during the current academic year.

Mr. Jackson: The available information is given in the table. It relates to universities, and to polytechnics and other colleges of further and higher education. Comparable information in not available centrally in respect of schools.

	Number of institutions offering			
	Japanese	*Chinese*	*Arabic*	*Korean*
Universities[1]	5	7	12	1
Polytechnics/other colleges of further and higher education[2]	4	2	7	*

[1] In the United Kingdom. Academic year 1988-89.
[2] In England. Academic year 1987-88.
* Not seperately identified.

Natural Environment Research Council

47. **Dr. Reid:** To ask the Secretary of State for Education and Science what was the expenditure in the science budget of the Natural Environment Research Council in 1986-87, 1987-88, and planned for 1988-89 in 1988-89 prices, other than on the British Antarctic Survey.

Mr. Jackson: The science budget spend and planning figures at 1988-89 prices, excluding BAS are as follows:

	£ million
1986-87	65·2
1987-88	62·7
1988-89	67·0

Dr. Thomas: To ask the Secretary of State for Education and Science when he last met the Natural Environment Research Council; and what matters were discussed.

Mr. Jackson: My right hon. Friend last met members of the council when he visited the royal research vessel Challenger in the pool of London in May. A range of matters concerning the council's activities was discussed. I also refer the hon. Member to the reply I gave earlier today to the hon. Member for Orkney and Shetland (Mr. Wallace).

Scientific Research

48. **Dr. Goodson-Wickes:** To ask the Secretary of State for Education and Science if he will make a further statement on future policy on the funding of scientific research.

Mr. Jackson: I refer my hon. Friend to the reply which my right hon. Friend gave to my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) on 1 November at columns 605-10.

Student Loans

51. **Mr. Darling:** To ask the Secretary of State for Education and Science if he will indicate what representations he has received in respect of student loans; and if he will make a statement.

Mr. Jackson: Since 1 July, about 80. The Government's proposals for the future of student support will be published shortly.

School Transport

53. **Mr. Nicholas Baker:** To ask the Secretary of State for Education and Science if he will bring forward proposals to review the present law relating to school transport.

Mr. Butcher: My right hon. Friend has no such plans at present.

Parent Governors

55. **Mr. Sumberg:** To ask the Secretary of State for Education and Science what proportion of places on school governing bodies in secondary schools in England and Wales reserved for parents have been filled; and what training is available to such governors.

Mrs. Rumbold: The information available so far from local authorities suggests that most schools are successfully filling the places on their governing bodies reserved for parents.

The provision of training for governors is the responsibility of local education authorities. The Government will be supporting nearly £5 million of local authority expenditure on governor training through education support grant in the financial year 1989-90. It is also sponsoring specific initiatives to provide training materials and information for governors.

"The New Teacher in School"

56. **Mr. Win Griffiths:** To ask the Secretary of State for Education and Science when he expects to respond to Her Majesty's inspectors' report, "The New Teacher in School," published on 24 October.

Mrs. Rumbold: My right hon. Friend has already commented in a press release at the time of publication of the report. It is not the practice for him to respond formally to such reports.

Student Unions

57. **Mr. Nicholas Bennett:** To ask the Secretary of State for Education and Science if he will make a statement on the progress of his review of financing of student unions.

Mr. Jackson: I refer to the reply given to my hon. Friend the Member for Thurrock (Mr. Amess) on 26 October at column *213*.

Industry-funded Scholarships

58. **Mr. Ian Taylor:** To ask the Secretary of State for Education and Science what proportion of undergraduates in England and Wales in 1987-88 were funded wholly or partially by industry-funded scholarships; and what plans he has to encourage a greater number of such scholarships.

Mr. Jackson: Information about the proportion of students in receipt of industrial scholarships is not available. Students in receipt of mandatory awards may receive sponsorship or scholarship income up to a specified limit without any corresponding reduction in their grant. In keeping with the Government's policy of encouraging links between industry and higher education, the amount of scholarship income which is disregarded in assessing entitlement to grant has been substantially increased in recent years.

Surplus Places

59. **Mr. Nicholas Brown:** To ask the Secretary of State for Education and Science whether his Department has produced any estimate of the cost of surplus places in primary and secondary education; and if he will make a statement.

74. **Mrs. Ann Taylor:** To ask the Secretary of State for Education and Science whether his Department has produced any estimate of the cost of surplus places in *(a)* primary and *(b)* secondary education; and if he will make a statement.

Mr. Butcher: The premises-related costs of retaining a surplus primary and secondary place are estimated at £120 and £200 a year, respectively. There are additional but unquantified teaching costs.

Academics (Research)

62. **Mr. Batiste:** To ask the Secretary of State for Education and Science whether he will issue guidelines to universities relating to the temporary release of academics to assist in the exploitation of their research.

Mr. Jackson: No. Such release is a management matter for individual universities.

City Technology College, Brent

63. **Mr. Livingstone:** To ask the Secretary of State for Education and Science if he will make a statement on plans to establish a city technology college in the London borough of Brent.

Mrs. Rumbold: The London borough of Brent is one of a number of London boroughs being considered with sponsors as a suitable area for the establishment of a city technology college.

Inner London Education Authority

65. **Mr. Tony Banks:** To ask the Secretary of State for Education and Science if he will make available to inner London boroughs sufficient grant to enable the Inner London education authority voluntary sector funding to continue after April 1990.

Mrs. Rumbold: It will in general be for the inner London councils to consider what support they will give to the work of education voluntary organisations in inner London after April 1990. The Government are however making available grant of £500,000 a year for three years to the headquarters bodies of voluntary organisations to support their co-ordinating role in inner London.

Inner London Boroughs (Education Functions)

66. **Ms. Abbott:** To ask the Secretary of State for Education and Science if he will make available sufficient capital grant to allow inner London boroughs to acquire and equip new administrative buildings for their new education functions.

Mrs. Rumbold: To the extent that their existing accommodation or capital resources are insufficient for the proper housing of their education departments, it will be open to inner London councils to apply to my right hon. Friend for the transfer of suitable ILEA property from April 1990. The Department is arranging discussions with councils to assess their accommodation requirements and the ways in which these might be met; any request for other forms of assistance could be considered only in the light of those assessments.

Carbon Dioxide Absorption (Oceans)

67. **Mr. Frank Cook:** To ask the Secretary of State for Education and Science what is the value of those research proposals graded A by the biochemical ocean flux study of the Natural Environment Research Council which are currently unfunded, which are directly relevant to the absorption of carbon dioxide in the oceans, and to the carbon cycle generally.

Mr. Jackson: I am informed that the cost of unfunded research within phase 1 of the NERC biogeochemical ocean flux study, lasting until March 1992, is £2·7 million. The NERC is committing £6·97 million to the programme and £0·37 million has been obtained externally. All of this work is directly relevant to furthering our understanding of the global carbon cycle and the absorption of carbon dioxide in the oceans.

Student Fees

69. **Mr. Buckley:** To ask the Secretary of State for Education and Science whether he has any plans to change the method of setting student fees in higher education; and if he will make a statement.

Ms. Quin: To ask the Secretary of State for Education and Science if he has received any representations concerning the payment of tuition fees in higher education; and if he will make a statement.

Mr. Jackson: The Government have no proposal to require students in receipt of mandatory awards to meet part of their tuition fees. However, my right hon. Friend is considering the possibility of some shift from block grant to tuition fees in the public funding of higher education institutions.

Neutron and Proton Therapy

70. **Dr. Bray:** To ask the Secretary of State for Education and Science what advice has been given by the Medical Research Council on the effectiveness and cost of neutron and proton therapy by comparison with conventional x-ray therapy in the treatment of cancer.

76. **Mr. Harry Ewing:** To ask the Secretary of State for Education and Science what advice the Medical Research Council gave on the use of a cyclotron to be used in the treatment of cancer by neutron and proton therapy.

Mr. Jackson: The Medical Research Council is currently undertaking full-scale clinical trials, using neutrons generated from a cyclotron, of the efficacy of

neutron therapy in the treatment of cancers. The council will publish substantive conclusions in the early 1990s when the trials have been completed. The council is planning to begin clinical trials of proton therapy, using protons generated from a cyclotron, in 1989.

Leicester University and Polytechnic

75. **Mr. Vaz:** To ask the Secretary of State for Education and Science whether he has any plans to take steps to increase the level of funding for Leicester university and polytechnic; and if he will make a statement.

Mr. Jackson: From 1989-90 onwards, the public funding of these institutions will be the resposibility of the Universities Funding Council and the Polytechnics and Colleges Funding Council under the Education Reform Act 1988. That Act specifically precludes my right hon. Friend from influencing the funding of named institutions without parliamentary authority.

School-Commerce-Industry (Links)

78. **Mr. Hunter:** To ask the Secretary of State for Education and Science if he will make a further statement on the part which education authorities are playing in the promotion of links between schools and commerce and industry.

Mr. Butcher: Local education authorities are playing an active part in encouraging and facilitating the development of links between schools and businesses. The recent report of the CBI business-education task force suggested that industry should now do more to foster such links, particularly in the light of the forthcoming reduction in school leavers entering the job market.

Expenditure (Staffordshire)

79. **Mr. Knox:** To ask the Secretary of State for Education and Science how much was spent per pupil in primary schools in Staffordshire in the most recent year for which figures are available; and how this compares with the figure in 1978-79, at constant prices.

Mr. Butcher: Staffordshire spent an average of £717 per primary pupil in 1978-79 and £880 per primary pupil in 1986-87. The figure for the earlier year has been repriced to 1986-87 prices using the gross domestic product (market prices) deflator.

Qualified Teacher Status

80. **Mr. Key:** To ask the Secretary of State for Education and Science what responses he has had to the consultation document on qualified teacher status.

Mrs. Rumbold: Responses to the consultation document on qualified teacher status were requested by 14 October. Over 200 have been received. My right hon. Friend will now give careful consideration to the points raised.

Brent

Mr. John Marshall: To ask the Secretary of State for Education and Science how many schoolchildren resident in the London borough of Brent were being educated in September 1988 in *(a)* the London borough of Barnet, *(b)* the London borough of Harrow, *(c)* the London borough of Brent and *(d)* elsewhere.

Mr. Butcher: Information about the numbers of school pupils in maintained schools in each local education authority derives from a pupil census carried out in January of each year. As of January 1988, the totals requested were as follows:

The number of school children resident in the London borough of Brent and being educated in

	Number
(a) London Borough of Barnet	1,381
(b) London Borough of Harrow	1,183
(c) London Borough of Brent	28,225
(d) Elsewhere	2,966

Daresbury Laboratory

Mr. Butler: To ask the Secretary of State for Education and Science how much of the increase in the grant for science research will be allocated to the Daresbury laboratory near Warrington.

Mr. Jackson: As my right hon. Friend said in his reply to my hon. Friend the Member for Rugby and Kenilworth (Mr. James Pawsey) on 1 November at columns *605-10*, he will be inviting the Advisory Board for the Research Councils to advise him on the allocation of the money now available. It is of course for the councils themselves to decide the level of funding for their own establishments, including the Daresbury laboratory.

Museum Education Services

Mr. Faulds: To ask the Secretary of State for Education and Science whether he has reconsidered the proposals that schools should pay for museum education services in place of the previous arrangements whereby local education authorities funded such services.

Mr. Butcher: Circular 7/88, issued on 6 September, makes it clear that local education authorities will be free to except from delegation the school-related costs of museum education services under schemes for local management of schools. Where authorities exercise this discretion, they will continue to fund the museum services directly. Where authorities choose to delegate the costs to schools, the schools themselves will decide whether they wish to continue to support the services.

Teacher Shortages (London)

Mr. Evennett: To ask the Secretary of State for Education and Science whether he intends to introduce any new initiative to reduce teacher shortages in Greater London.

Mr. Butcher: Our teacher recruitment campaign continues to focus on the areas where shortages are most marked, including London and the south-east. The programme includes advertising, conferences and exhibitions designed to promote the attractions of teaching and improve recruitment to initial teacher training. Officials of my Department and the teaching as a career unit continue to be in close contact with the LEAs and institutions involved in teacher recruitment and training in Greater London.

Sports

Mr. Cartwright: To ask the Secretary of State for Education and Science what steps he plans to take to monitor the standards of sports tuition in schools.

Mrs. Rumbold: Physical education, of which sport is a component, is a foundation subject in the national curriculum. Programmes of study, attainment targets or guidelines and assessment arrangements will be established as appropriate for PE in due course. The National Curriculum Council and the School Examinations and Assessment Council will respectively advise my right hon. Friend on all aspects of the school curriculum and on examinations, assessment and testing in schools. Her Majesty's inspectorate will also continue to monitor standards as part of its programme of visits to and inspections of schools.

Mr. Cartwright: To ask the Secretary of State for Education and Science what steps he plans to take to encourage teachers to take advantage of the training schemes offered by the various national sporting bodies for teachers and supervisors.

Mrs. Rumbold: It is for LEAs and schools to consider the in-service training needs of their staff, in relation to their resources. The LEA training grant scheme provides specific grant support for a range of national priority areas and for locally determined priorities.

Mr. Cartwright: To ask the Secretary of State for Education and Science what estimate he has made of the number of school teachers undertaking the teaching of sports for which they have no specialist qualification.

Mrs. Rumbold: In January 1984, the latest date for which figures are available for maintained secondary schools in England, there were an estimated 40,500 full and part-time teachers who taught physical education (including sport). Of these teachers, 42 per cent. did not hold a post A-level qualification in the subject, and they were responsible for 12 per cent. of the tuition in physical education.

Rural Primary Schools

Mr. Yeo: To ask the Secretary of State for Education and Science what recent representations he has received about small rural primary schools.

Mr. Butcher: I refer my hon. Friend to the answer which my hon. Friend the Member for Dartford (Mr. Dunn) gave to him on 21 June at column *522*.

Intelligence Testing

Mr. Spearing: To ask the Secretary of State for Education and Science if he will make a statement concerning the educational objectives of his announced programme of intelligence testing; and what evidence he has in his possession that suggests that such tests are a reliable guide to *(a)* future performance in any skill, *(b)* general ability in any branch of knowledge or *(c)* effective discharge of occupational responsibility.

Mrs. Rumbold: The national assessment arrangements are not a programme of intelligence testing. They will assess by reference to clear attainment targets what pupils know, understand and can do in a range of subjects. There is widespread evidence that the setting of clear objectives accompanied by rigorous assessment and reporting can make a significant contribution to improving pupils' motivation and performance.

Rating Reform

Mr. Menzies Campbell: To ask the Secretary of State for Education and Science if the Government will meet any costs incurred by Scottish universities in subsidising the payment of community charge by overseas students in the year 1989-90.

Mr. Jackson: No. It is for individual universities to determine the terms on which they recruit overseas students.

Student Shortages

Mr. Straw: To ask the Secretary of State for Education and Science what evidence his Department has collected, on data available to it on teacher shortages; and if he will place this in the Library.

Mr. Kenneth Baker: "Action on Teacher Supply in Mathematics, Physics and Technology", issued in July 1986, analysed the position in those subjects in some detail. A copy is in the Library. On more recent data, I have arranged for tables showing primary and secondary vacant posts analysed by region and by subject, as at January 1988, to be placed in the Library. Further data including tables drawn from the 1987 primary school staffing survey, and on the current match between teachers' qualifications and what they teach drawn from the results of the 1988 secondary school staffing survey, will be available in due course.

Education and Industry

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education and Science what measures his Department intends taking to improve the link between education and industry in rural areas; and if he will make a statement.

Mr. Butcher: My Department encourages the development of links between education and industry in all areas. In rural areas, links with farms and local shops and enterprises may be appropriate; but there will often also be opportunities for establishing links with industry in nearby towns.

Antarctic Survey

Mr. McLoughlin: To ask the Secretary of State for Education and Science what are the Government's plans for the Natural Environment Research Council's British Antarctic survey; whether any part of the additional monies that he has made available to the science budget will be allocated to the survey; and if he will make a statement.

Mr. Kenneth Baker: The Government's aim is to sustain the outstanding scientific research carried out by NERC's British Antarctic survey, as part of the United Kingdom's due contribution to a better understanding of the natural environment and man's impact on it. Thus part of the additional expenditure over the three years will be used to enhance the survey's air facility at the Rothera station, the

main base for geophysics work. The present ice skiway will be replaced by a gravel airstrip. This will increase the range of weather conditions within which the present Twin Otter aircraft can safely operate and the size of aircraft that can use the runway. An additional, larger aircraft will be purchased, greatly extending the range of the survey's geological field survey parties within the British Antarctic territory.

There will also be additional expenditure for the rebuilding of the Halley station which is the main centre for continuing the survey's important study of the ozone hole that develops over Antarctica during the Austral spring. The weight of compacted ice has greatly reduced the safe life of the existing buildings; and rebuilding is proving more difficult than expected because of the deterioration of the ice shelf near the base. It is important that the new accommodation should be completed as quickly as possible to ensure that there is no break in the continuous monitoring of the weather and of the ionospheric conditions.

I have accordingly allocated an additional £10 million in 1989-90 with planning additions for a further £8 million in 1990-91 and £5 million in 1991-92. These sums will be made available for the survey through the Natural Environment Research Council.

PRIME MINISTER

Iwerne Minster

Q19. **Mr. Nicholas Baker:** To ask the Prime Minister if she will pay an official visit to Iwerne Minster.

The Prime Minister: I have at present no plans to do so.

President-elect (USA)

Q46. **Mr. Latham:** To ask the Prime Minister when she first expects to meet the President-elect of the United States of America.

The Prime Minister: I expect to meet the President-elect during my visit to the United States from 16-17 November.

Child Benefit

Mr. Wigley: To ask the Prime Minister how many letters she has received *(a)* supporting and *(b)* opposing the Government's intentions not to increase child benefit.

The Prime Minister: I have received a number of representations both supporting and opposing the Government's intentions not to increase child benefit.

Engagements

Mr. Flynn: To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

Mr. Andrew Smith: To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

Mr. Wallace: To ask the Prime Minister if she will list her official engagements for Tuesday 8 November.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. I was present at Victoria station to mark the arrival of the President of Senegal. In addition to my duties in the House I shall be having further meetings later today.

DEFENCE

Tornado

Mr. Wilkinson: To ask the Secretary of State for Defence when he expects to place orders for further Tornado aircraft for the Royal Air Force.

Mr. Sainsbury: I am pleased to announce that, subject to the satisfactory resolution of contractual and other issues, we intend to order a further 26 Tornado GR1 and 15 Tornado F3 aircraft. These aircraft will sustain the RAF's Tornado force into the next century.

Nuclear Weapons Convoys

Mrs. Fyfe: To ask the Secretary of State for Defence if he will now make it his policy to answer questions relating to the frequency, timing and content of nuclear weapons convoys.

Mr. Archie Hamilton: No. I intend to maintain the policy of successive Governments of not commenting, for obvious security reasons, on the movement of nuclear weapons.

Salisbury Plain (Incident)

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the incident on 30 October on the Salisbury plain training area in which a smoke grenade was discharged on a road by United States Air Force personnel at a time when the ranges were open to members of the public.

Mr. Archie Hamilton: The incident is being investigated. If disciplinary action is necessary it will be taken by the appropriate authorities. At this stage it appears that USAF personnel were not involved.

Reach (Incident)

Mr. Cohen: To ask the Secretary of State for Defence what steps he will take to protect members of the public from debris falling from aircraft, following the recent fall of a piece from a United States Air Force F-111 near Reach; and if he will make a statement.

Mr. Freeman: During a routine USAF F-111 training flight on 26 October, the flap guide vane of one of the wings, comprising a small strip of light aluminium, became detached and fell to the ground near Reach, Cambridgeshire. No injury or property damage has been reported. All possible steps are taken to minimise the risk associated with military aircraft training of this kind, which is essential to NATO's policy of deterrence. These arrangements are kept under constant review.

VME Computers (Security)

Mr. Cohen: To ask the Secretary of State for Defence what information is held or processed by the VME computers at his Department's Bureau West at Devizes; if any of this information is subject to security classifications; and if any security measures are taken to prevent unauthorised access to the system while it is left unattended.

Mr. Archie Hamilton: Bureau West provides computer support to a large number of areas within MoD. As a result, the bureau holds a great diversity of information, both classified and unclassified, in its computer systems. It would be neither practicable nor in the interests of security to list it. Security measures are taken to prevent unauthorised access to these systems both while they are attended and while they are unattended.

AWRE Aldermaston (Alert)

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement about the alert at the atomic weapons research establishment, Aldermaston on the afternoon of 28 October; what information he has regarding the cause of this alert; at what point the alert state ended; how many similar alerts there have been in the last five years; and if he will make a statement.

Mr. Archie Hamilton: I refer the hon. Member to the answer given to the hon. Member for Lewisham, Deptford (Ms. Ruddock) on 3 November at column *740*. In addition, I can now confirm that the cause of the alarm was an electrical short circuit. The work force was able to re-enter the building at 4·22 pm. There have been five similar alarms in the past five years. All have been false alarms.

Mr. Cohen: To ask the Secretary of State for Defence whether local emergency services are involved in contingency plans in case of accident at the atomic weapons research establishment, Aldermaston.

Mr. Archie Hamilton: The atomic weapons establishment at Aldermaston maintains close liaison with local authorities, the police, fire and other emergency services. This includes arrangements for the use of local and service hospitals.

Mr. Cohen: To ask the Secretary of State for Defence how long after the alarm system at the atomic weapons research establishment, Aldermaston had indicated an emergency situation on 28 October the local fire and police were informed; and if he will make a statement.

Mr. Archie Hamilton: I refer the hon. Member to the answer given to the hon. Member for Lewisham, Deptford (Ms. Ruddock) on 3 November at column *740*.

Combat Body Armour Vests

Mr. Madden: To ask the Secretary of State for Defence if there has been any change in his Department's previously announced plans to procure 15,000 combat body armour vests in the financial year 1989-90; and when he plans to meet the services' total requirement.

Mr. Sainsbury: The answer to the first part of the question is no. However, our procurement plans for new equipment are subject to the annual review of the defence programme as a whole and combat body armour is no exception. On current plans the present procurement programme is expected to take about six years to complete.

HOME DEPARTMENT

Equal Opportunities

Ms. Richardson: To ask the Secretary of State for the Home Department whether any decisions have been made regarding the legislation covered by the Equal Opportunities Commission's formal proposals: "Equal Treatment for Men and Women—Strengthening the Acts", which were sent to the Government in March.

Mr. John Patten: Not yet.

Foreign Nationals (Military Training)

Mr. Andrew Smith: To ask the Secretary of State for the Home Department what controls are operated over foreign nationals coming to Britain to receive military or military-related training from private companies; what records are kept of such applications; and on what occasions since 1980 visas for such persons have been refused.

Mr. Renton: The general position is that, under the immigration rules, any overseas national who can satisfy the immigration officer that he is genuinely seeking entry for only a limited period, and that he can maintain and accommodate himself during his stay, may be admitted for a temporary period unless in the circumstances of a particular case there are grounds for his exclusion. In addition certain overseas military personnel may be exempt from immigration control under the provisions of the 1971 Act relating to members of visiting forces. No separate records are kept of numbers of individuals seeking admission for the purposes described.

Destination Docklands Concerts

Mr. Spearing: To ask the Secretary of State for the Home Department if he will estimate the approximate cost to the Metropolitan police of *(a)* their preparations for the Destination Docklands concerts on 8 and 9 October and *(b)* related operations on those days.

Mr. Douglas Hogg *[holding answer 19 October 1988]:* I understand from the Commissioner of Police of the Metropolis that the estimated additional cost of preparatory work for these concerts was £11,000. This cost comprises overtime worked by officers posted to the concert office. The additional policing costs on the days of the concerts were given in my reply to a question from the hon. Member for Newham, North-West (Mr. Banks) on 19 October at column *884*.

TRADE AND INDUSTRY

Postal Disputes

Mr. John Marshall: To ask the Chancellor of the Duchy of Lancaster what information he has as to how many industrial disputes have disrupted postal services in London during the past year.

Mr. Forth: Industrial action by postal workers is an operational matter for the Post Office Board. However, it has informed me that, during the period November 1987 to October 1988, there have been a total of 55 industrial disputes within the letters business, four within the parcels business and eight within the counters business which affected postal services in the numbered London postal districts.

Post Office Counters Ltd. (Property)

Mr. John Marshall: To ask the Chancellor of the Duchy of Lancaster what is his estimate of the value of the

freehold and long leasehold sites occupied by Post Office Counters Ltd.; when this estimate was made and on whose advice; and what information he has as to estimates which have been made of the redevelopment value of these properties, the dates on which they were made and by whom.

Mr. Forth: I refer my hon. Friend to page 79 of the Post Office annual report and accounts 1987-88 for the information he has requested on the values of freehold and long leasehold sites occupied by Post Office Counters Ltd., together with the dates on which these valuations were made and on whose advice. No general information is available on the redevelopment value of property owned or leased by Post Office Counters Ltd. This is considered on an individual basis when appropriate.

Disabled People

Mr. Ashley: To ask the Chancellor of the Duchy of Lancaster how many applications he has received in each year since 1984, for grants to promote the interests of disabled people under the terms of section 93 of the Telecommunications Act 1984; by whom the applications were submitted; in each case, what was the size of the grant requested and the purpose for which it was required; and which of the applications were successful.

Mr. Atkins: One application has been received. This was made in 1986 under the "private branch exchange for visually handicapped operators scheme", a scheme set up under the terms of section 93 of the Act. The applicant was Norton Telecommunications Ltd. The grant requested was for £25,000 to support the adaptation of the console of Norton's MCX exchange for use by visually handicapped operators. The application was successful.

Rolls-Royce plc

Mr. Spearing: To ask the Chancellor of the Duchy of Lancaster what representations he has received from the Commission of the European Economic Community concerning the proportion of golden shares held by Her Majesty's Government in Rolls-Royce plc.

Mr. Atkins: The European Commission has raised with my Department the compatibility with the treaty of Rome of the 15 per cent. limit on foreign shareholdings which is imposed by Rolls-Royce's articles of association and is protected by the special share that the Government holds in the company. The Government are convinced that this provision is justified by article 223 of the treaty, which allows any member state to take such measures as it considers necessary to protect its national security interests. Discussions are continuing between my Department and the Commission on this issue.

Manufactured Goods (Trade Deficit)

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster what was the trade deficit in manufactured goods over the most recent 12 months for which figures are available; and what part of this was in respect of trade with the European Economic Community.

Mr. Alan Clark: Figures for United Kingdom trade in manufactures with the EC and with the world are in the table:

United Kingdom trade in manufactures[1]
Twelve months to September 1988

£ million
BoP basis

	Exports	*Imports*	*Balance*
Trade with:			
World	64·2	76·6	−12·3
EC	30·7	42·5	−11·7

[1] Standard International Trade Classification Rev. 3 Sections 5–8.
Source: Department of Trade and Industry.

NATIONAL FINANCE

British Steel

Ms. Lestor: To ask the Chancellor of the Exchequer if he will give figures for money budgeted and spent to date on the floation and privatisation of British Steel, including separate figures for *(a)* advertising, *(b)* underwriting, *(c)* marketing and *(d)* any other fees.

Mr. Atkins *[holding answer 31 October 1988]:* I have been asked to reply.

A token estimate of £1,000 (class V, vote 8) makes provision for Her Majesty's Government expenses in connection with the privatisation of British Steel. Expenses will be met from receipts from the sale, appropriated in aid of the vote. A spring supplementary estimate will be presented later in the year to provide details of the final costs.

ATTORNEY-GENERAL

Social Security (Decisions)

Mr. Frank Field: To ask the Attorney-General when the bound volume of decisions of the social security commissioners for 1985, 1986 and 1987, respectively, will be available.

Mr. Peter Lloyd: I have been asked to reply.

The office of the chief adjudication officer is responsible for organising the printing of bound volumes of commissioners' reported decisions, and I understand that the set for 1985-86 is expected to be available in January 1989. It is expected that the set for 1987-88 will be issued in about two years' time.

NORTHERN IRELAND

Land Registration

Mr. McGrady: To ask the Secretary of State for Northern Ireland what are the current fees for land registration for the following price ranges: £30,000, £40,000, £50,000, and £60,000.

Mr. Needham: The information requested is contained in the Land Registry (Fees) Order (Northern Ireland) 1982 (SR 1982 No. 2), a copy of which is available in the Library.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many applications for land registration were made in each of the years 1980 to 1987, inclusive.

Mr. Needham: Statistics showing the exact number of applications received in the Land Registry during the

financial years 1980-81 to 1983-84 inclusive are not available. The figures for these years have been calculated based on statistics showing the average daily intake in each of the years multiplied by the number of working days in the year.

The following table sets out the applications received:

Financial year	*Applications received*
1980-81	10,750
1981-82	15,250
1982-83	19,250
1983-84	21,000
1984-85	25,708
1985-86	27,124
1986-87	28,070
1987-88	29,005

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many applications for land registrations were made in 1988 to date; how many have been processed; and how many have still to be processed.

Mr. Needham: A total of 24,909 applications were received in the Land Registry during the period 4 January 1988 to 29 October 1988—13,758 of these have been completed leaving 11,151 still awaiting completion.

Autistic Children

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what budgetary provision has been made for autistic children within the south eastern education and library board in each of the years 1980-81 to 1988-89, inclusive;

(2) what budgetary provision has been made for autistic children within the southern education and library board in each of the years 1980-81 to 1988-89, inclusive.

Dr. Mawhinney: Autistic children are placed at one of the special schools or special units at primary or secondary schools which can cater for pupils with a wide range of special educational needs. It is not possible to identify separately the relevant expenditure.

Special Educational Needs

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what percentage of the educational budget has been allocated to children with special educational needs in each of the years 1980-81 to 1988-89, inclusive;

(2) what percentage of the educational budget has been allocated to children with special educational needs in each of the years 1980-81 to 1987-88, inclusive.

Dr. Mawhinney: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what schools within the southern education and library board cater for children with special educational needs;

(2) what schools within the south eastern education and library board cater for children with special educational needs.

Dr. Mawhinney: The information is as follows:

SOUTHERN BOARD

Special schools
- Ceara, Craigavon
- Donard, Banbridge
- Fallowfield, Craigavon
- Manor House, Armagh
- Rathfriland Hill, Newry
- Sperrinview, Dungannon

Special education units—Secondary schools
- Clounagh Junior High, Portadown
- St. Paul's, Bessbrook
- Cookstown High, Cookstown
- Tandragee Junior High, Craigavon
- Banbridge High, Banbridge
- Drumcree High, Portadown

Special education units—Primary schools
- Cookstown, Cookstown
- Drumgor, Craigavon
- St. Joseph's, Bessbrook
- Ballyoran, Portadown
- St. Colman's Abbey, Newry
- Newry Model, Newry
- St. Patrick's, Armagh
- Dungannon, Dungannon
- Edenderry, Banbridge
- Carrick, Lurgan

SOUTH-EASTERN BOARD

Special schools
- Ardmore House, Downpatrick
- Beechlawn, Hillsborough
- Brookfield, Moira
- Knockevin, Downpatrick
- Longstone, Belfast
- Parkview, Lisburn
- Clifton, Bangor
- Dundonald, Belfast
- Killard House, Newtownards

Special education units—Secondary schools
- Newtownbreda High, Belfast
- Donaghadee High, Donaghadee
- St. Colmcille's High, Croesgar
- St. Malachy's High, Castlewellan

Special education units—Primary schools
- Holy Family, Teconnaught
- Cregagh, Belfast
- Knockmore, Lisburn
- Rathmore, Bangor
- Castlewellan, Castlewellan
- Downpatrick, Downpatrick
- St. Malachy's, Castlewellan
- St. Colmcille's, Downpatrick
- Knockbreda, Belfast
- Seymour Hill, Dunmurry

Note:

The education of some pupils with special educational needs can be provided in ordinary primary and secondary schools, supported, if appropriate, with additional resources.

MV Portaferry

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the present weight restriction on the MV Portaferry at Strangford Lough ferry crossing; what are the implications for transport of commercial goods; and if he will make a statement on the future development of the Strangford Lough ferry.

Mr. Needham: The MV Portaferry, which is operating the Strangford Lough ferry service while the main vessel is undergoing its annual overhaul, is restricted to carrying a total weight of 22 tonnes with no vehicle exceeding a gross

vehicle weight of 8 tonnes. The vehicle weight restriction, which is being applied for safety reasons, means that operators and drivers of heavy commercial vehicles have to make alternative travel arrangements for a period.

The Department of the Environment for Northern Ireland plans to continue to run as reliable a ferry service as is reasonably possible.

Local Government Services (Competitive Tendering)

Mr. Clifford Forsythe: To ask the Secretary of State for Northern Ireland what plans he has to introduce competitive tendering for local government services in Northern Ireland.

Mr. Needham *[holding answer 7 November 1988]:* Many of the 26 district councils in Northern Ireland do not employ professional staff or sizeable direct labour forces; therefore capital works and building repairs are already usually contracted out. I am considering what measures may be appropriate to further promote competitive tendering for local government services in Northern Ireland.

Benefits

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will give, for the constituency of Newry and Armagh *(a)* the numbers of unemployed claimants claiming unemployment benefit only, *(b)* the numbers claiming unemployment benefit and income support and *(c)* the numbers claiming only income support, for the latest available date.

Mr. Needham *[holding answer 1 November 1988]:* The information can be provided only in relation to the catchment areas of the Newry and Armagh social security offices and is as follows:

Position at 27 October 1988

Numbers of unemployed claimants claiming	*Newry social security offices*	*Armagh social security offices*
Unemployment Benefit only	661	428
Unemployment Benefit and Income Support	201	100
Income Support only	4,297	2,063

TRANSPORT

Driving Tests, Portsmouth

Mr. David Martin: To ask the Secretary of State for Transport what is the average waiting time for a driving test in Portsmouth.

Mr. Peter Bottomley: The current waiting time for a test at Portsmouth driving test centre is 15 weeks. This is too long. We cannot accommodate any more examiners at the centre (there are currently seven there). We are looking for other premises to meet demand. Earlier tests are available at Gosport.

Drivers (Insurance Statistics)

Mr. Snape: To ask the Secretary of State for Transport what information he has on discrimination against older drivers by motor insurance companies.

Mr. Peter Bottomley: It is for individual insurers to decide whether to insure a particular driver, and if so on what terms. Insurance companies often offer older drivers more favourable terms because of their greater experience and relatively low exposure to risk.

Veteran and Vintage Cars

Mr. Steel: To ask the Secretary of State for Transport if he will make a statement on the effect of harmonisation with EEC legislation on the right to drive veteran and vintage cars on British roads.

Mr. Peter Bottomley: There is no EEC legislation, nor are there any proposals to restrict the use of historic vehicles on British roads.

Utilities (Road Repairs)

Mr. Roy Hughes: To ask the Secretary of State for Transport when he proposes to introduce a Bill to implement the proposals contained in the Horne report; and if he will make it his policy to include a penalty clause to ensure that public utilities complete work to a set standard or otherwise meet the cost of remedial work.

Mr. Peter Bottomley: It is proposed that utilities should be made entirely responsible for reinstating the highway following their excavation work. They would have to comply with new national specifications for reinstatement and meet objective standards of performance for the repaired road surface. Utilities would be required to make good, at their expense, any reinstatements which fall outside these standards during a warranty period.

Highway authorities would have certain powers in the event of default to ensure that defective reinstatements are corrected at the utilities' expense, and promptly where the defect is a hazard to road users.

Legislation will be introduced as soon as a suitable opportunity can be found.

Airport Delays

Mr. Simon Coombs: To ask the Secretary of State for Transport what information he has on delays to passengers using (i) Heathrow airport, (ii) Gatwick and (iii) Luton.

Mr. Peter Bottomley: The information sought by my hon. Friend is not held centrally; I suggest that he approaches the airports concerned.

Motorways

Mr. Win Griffiths: To ask the Secretary of State for Transport what was the cost of the construction of the length of the M5 between junctions 18 and 19.

Mr. Peter Bottomley: The final account for the construction work was settled in 1979 at a total cost of £11·9 million.

Driver Licensing (EC Directive)

Mr. Teddy Taylor: To ask the Secretary of State for Transport (1) what will be the effect of the second directive on driver licensing on voluntary and community service operations involving the transport of blind or handicapped persons by volunteers; when the directive will come

before the Council of Ministers; if it will be determined by majority vote; and what is the policy of Her Majesty's Government on this aspect of the directive;

(2) what representations he has had from charitable and voluntary bodies on the impact on their work of the second directive on driver licensing;

(3) if he will invite the European Economic Community Commission to make plain the manner in which the proposed controls on minibus drivers in so far as they affect voluntary and charitable bodies in the United Kingdom will play a part in the promotion of the internal market; and if he will make a statement.

Mr. Peter Bottomley: I wrote to my hon. Friend on 7 October.

The United Kingdom is committed to bringing its driver licensing system into line with other EC member states in accordance with the terms of the first EC directive on driver licensing (EC/1263/80). A second directive to complete the process is expected shortly. This is likely to require the introduction of common categories of driving entitlement on the lines formulated in the Vienna convention on road traffic in 1968.

The Vienna categories reduce the thresholds for vocational entitlement to include vehicles with more than eight passenger seats and light goods vehicles above 3·5 tonnes. Although existing drivers would not be affected, the introduction of these thresholds would mean that new drivers of minibuses and light goods vehicles would have to take a second test and meet higher standards of fitness.

Responses to the Department's consultation issued earlier this year indicated widespread concern among voluntary and community service organisations who depend on volunteer drivers. The operations of many such organisations would be severely curtailed because of the difficulty in getting volunteers with the required entitlement or the cost of training drivers to the higher standard. Since April, the Department has received over 600 letters on this subject with some 75 letters from MPs and MEPs.

The Government have made it clear to the European Commission that the proposed thresholds would create serious difficulties. The Commission has been formally advised of the need to preserve the existing arrangements for minibus drivers in the United Kingdom. Interested bodies are alerting their opposite numbers in other countries and pointing out the advantages of the United Kingdom arrangements for voluntary and community operations. A demonstration and a cavalcade of minibuses to Brussels is being planned by the various organisations for December.

The second directive is expected to come before the Council of Ministers very shortly. It is not expected that any single Member will be able to block the proposals.

Railway Line Closures

Mr. Pike: To ask the Secretary of State for Transport what approaches, and with respect to which rural lines in Lancashire and Yorkshire, British Rail has approached him with regard to their potential closure; and if he will make a statement.

Mr. Portillo: British Rail has not made any proposals to close rural lines in Lancashire and Yorkshire other than the Settle-Carlisle line.

M65-M6/61 Link

Mr. Pike: To ask the Secretary of State for Transport what is the current position with regard to the building of the M65 to M6/61 link; and if he will make a statement.

Mr. Peter Bottomley: We intend to publish statutory orders early next year. Construction could start in 1992.

Buses (Door Accidents)

Mr. Cohen: To ask the Secretary of State for Transport, pursuant to his answer of 28 October 1987, *Official Report*, column *215*, if he will make a statement about progress towards eliminating bus door accidents; and what are the latest figures for accidents involving people trapped in the centre doors of driver-only buses.

Mr. Peter Bottomley *[holding reply 2 November 1988]:* We shall shortly be consulting on draft regulations to consolidate and simplify the present bus regulations. We propose to include provisions to reduce the risk of people getting trapped in power-operated doors.

The national figures asked for are not available. I understand that last year LRT was notified of some 300 incidents involving people trapped in the centre doors of one-person-operated buses, not all involving injury. The total number of boarding or alighting accidents for LRT's one-person-operated buses was 801 last year, compared with 922 on crew-operated buses. The number of accidents per million passenger miles as 0·85 on one-person-operated buses and 4·78 on crew-operated buses.

ENVIRONMENT

Local Authorities (Inaccurate Information)

Mr. Heddle: To ask the Secretary of State for the Environment what steps he is taking to monitor the publicity being sent by local authorities to their tenants regarding the provisions of the Housing Bill; and what action he is taking to counteract misleading and inaccurate information.

Mr. Trippier: I am grateful to hon. Members and members of the public who bring examples of misleading information about the Housing Bill to our attention. Prior to Royal Assent, we have made available copies of factual leaflets on the main provisions in the Bill; and I and my right hon. Friend the Secretary of State have written to all tenants in the six proposed housing action trust areas to explain the Government's proposals. We intend to issue a considerable amount of explanatory information about the provisions in the Housing Bill in the months following Royal Assent, and we are making grants to the National Association of Citizens Advice Bureaux and to the Federation of Independent Advice Centres to train advice workers about the Bill. It is for local authorities to take equal responsibility for what they publish. Parliament has now approved the code of recommended practice on local authority publicity which established a benchmark against which local authorities are required to judge their proposed publicity.

Lead Water Pipes

Mr. Cohen: To ask the Secretary of State for the Environment how many *(a)* homes and *(b)* other buildings in London still have water supplied through lead pipes.

Mr. Moynihan: This information is not available. However, approximately 1·0 million of the homes in the Greater London area were constructed before 1945 and would therefore have contained lead pipes. A good number of these pipes will have been replaced by now.

Rating Reform

Mr. Gordon Brown: To ask the Secretary of State for the Environment what is his estimate of *(a)* the average community charge payment in 1988-89, and *(b)* the average community charge for income support claimants in 1989-90.

Mrs. Virginia Bottomley: The community charge will not be introduced in England until 1990-91.

Mr. Pike: To ask the Secretary of State for the Environment when he proposes to publish regulations regarding the community charge in England.

Mr. Gummer: Draft regulations on information for the purposes of compiling the register, inspection of the register, and the billing arrangements for community charges were sent to a number of bodies on 28 October for comment. I am arranging for copies of the draft regulations to be placed in the Library of the House. Regulations on a number of other topics will be circulated for comment shortly.

Mr. Alton: To ask the Secretary of State for the Environment what is the anticipated community charge payable by Liverpool city council on properties which have been vacant for more than the statutory period over the course of the first 12 months following the introduction of the community charge.

Mrs. Virginia Bottomley *[holding answer 7 November 1988]:* Domestic property which is not used as a sole or main residence will give rise to a standard community charge, calculated as a multiple of the personal community charge for the area. The multiplier for properties which are vacant for up to three months will be set at zero. Charging authorities will have the discretion to set a multiplier of 0, $\frac{1}{2}$, 1, $1\frac{1}{2}$ or 2 for properties which are vacant for more than three months. The total amount payable in standard community charges by Liverpool city council on such properties will therefore depend on the use it makes of this discretion, the number of such properties and the length of time each property is vacant.

Sport (South Africa)

Mr. John Marshall: To ask the Secretary of State for the Environment whether the Gleneagles agreement affects the rights of individual British professional sportsmen to practice their profession in South Africa.

Mr. Moynihan: In accordance with the Gleneagles agreement, the Government seek to discourage sporting contact with South Africa. The Government have no powers to prevent professional sportsmen from competing in South Africa.

Housing Action Trusts

Mr. Fraser: To ask the Secretary of State for the Environment what fee he is paying to the consultants for work on advising on housing action trusts in Lambeth.

Mr. Trippier: I refer the hon. Member to the answer I gave on 2 November to the hon. Member for Halifax (Mrs. Mahon), at column *685*.

Multiple Occupation

Mr. Donald Anderson: To ask the Secretary of State for the Environment if he will give his assessment as to whether each of the following local housing authorities manages within the existing legislative framework successfully to control the numbers and conditions of houses in multiple occupation in its area (1) Kensington and Chelsea, (2) Lewisham, (3) Haringey, (4) Leeds, (5) Calderdale, (6) Lambeth, (7) Bristol, (8) Enfield, (9) Brent, (10) Camden, (11) Islington, (12) Plymouth, (13) Hackney, (14) Westminster, (15) Wirral, (16) Wandsworth, (17) Kingston upon Hull, (18) Merton, (19) Newham, (20) Ealing, (21) Harrow, (22) Hounslow, (23) Southwark, (24) Blackpool, (25) Liverpool, (26) Torbay, (27) Worthing, (28) Hove, (29) Redbridge, (30) Birmingham, (31) Bath, (32) Bradford, (33) Newcastle upon Tyne, (34) Oxford and (35) Manchester.

Mr. Trippier: The Department's environmental health adviser visited 16 of these authorities to discuss their problems and methods of tackling houses in multiple occupation. Views expressed to him on those visits, and his reports, were made in confidence.

Green Belt

Mr. Frank Field: To ask the Secretary of State for the Environment if he will include York, Chester, Bath, Oxford and Cambridge on a list of towns and cities whose green belts fulfil the purpose of preserving the special character of historic towns as laid down in planning policy guidance note 2.

Mr. Chope: Of all the green belt purposes listed in planning policy guidance note 2, that of "preserving the special character of historic towns" is especially relevant to the green belts referred to by the hon. Member.

Nuclear Waste

Mr. Kirkwood: To ask the Secretary of State for the Environment what is his Department's estimate of the quantity of high, intermediate and low-level nuclear waste waiting to be *(a)* reprocessed and *(b)* dumped in the United Kingdom.

Mrs. Virginia Bottomley: The latest available estimates of the stocks of radioactive wastes in the United Kingdom awaiting disposal (in conditioned waste volume equivalents) are as follows:

	cubic metres
High level waste	517
Intermediate level waste	59,400
Low level waste	2,300

Nuclear waste is not reprocessed.

Right to Buy

Sir Geoffrey Finsberg: To ask the Secretary of State for the Environment how many appeals under the right-to-buy scheme have been made by Camden council tenants in each year since the scheme began; and in how many cases the valuation was reduced on appeal.

Mr. Trippier: The table gives, for each year since 1980, the number of applications by tenants of the London borough of Camden for determination of the value of their homes by the district valuer under what is now section 128 of the Housing Act 1985, and the number of these cases in which the council's valuation was reduced:

Year	*Number of applications for determination*	*Number of valuations reduced*
1980	0	0
1981	134	99
1982	68	47
1983	35	25
1984	35	27
1985	75	58
1986	100	87
1987	26	24
[1]1988	195	182

[1] To 4 November.

Sewage

Ms. Walley: To ask the Secretary of State for the Environment what is his time scale for the long-term improvement of sewage treatment works.

Mr. Moynihan: As my right hon. Friend recently announced, we are close to confirming with water authorities an accelerated programme of capital improvements—involving expenditure of about £1 billion over the next four years—to bring all those works currently in breach of their numerical consent conditions into full compliance by March 1992. We expect to make a more detailed statement on our proposals shortly.

Water

Ms. Walley: To ask the Secretary of State for the Environment when the process of consultations with water authorities to review the existing classification schemes for rivers and estuaries began; and which environmental and consumer interests have been consulted.

Mr. Moynihan: The Department has already held informal and preliminary discussions within the water industry concerning the classification schemes for rivers and estuaries. These have resulted in a number of proposals for improvement and clarification, on which we hope to consult shortly. In finalising our proposals, we will of course take account of comments from interested parties.

Ms. Walley: To ask the Secretary of State for the Environment what proportion of the length of English and Welsh rivers have not been routinely monitored for chemical parameters in each of the last five years.

Mr. Moynihan: All main rivers are routinely monitored by water authorities for a variety of parameters. The extent to which minor rivers are individually monitored is a matter for the discretion of the water authorities in local circumstances. The information requested is therefore not available centrally.

Ms. Walley: To ask the Secretary of State for the Environment why the 1985 report on river quality in England and Wales for 1980-85 contains no biological monitoring results.

Mr. Moynihan: As we indicated in the Government's response to the Environment Select Committee's report on pollution of rivers and estuaries, published in June, biological testing has an important and growing role in monitoring water quality. However, it is not at present undertaken consistently by all authorities and tends to be site specific. The 1985 river quality survey was therefore compiled on the basis of the chemical criteria on which present river and estuary classifications are based. It will be for the NRA to consider in due course what role biological testing should play in future surveys.

Zoological Society of London

Mr. Patnick: To ask the Secretary of State for the Environment whether, pursuant to his reply of 11 May to the hon. Member for Derby, North (Mr. Knight) *Official Report*, columns *130-32*, he will make a statement concerning payment of the £10 million endowment to the Zoological Society of London.

Mr. Ridley: Subject to approval of the necessary supplementary estimate, I have arranged immediate payment on account of £9·27 million to the society, being the balance out of £10 million after deducting an amount already paid for the current financial year.

The society has shown its determination to put its affairs in order by proceeding rapidly with the creation of a new subsidiary operating company, with a strong management team, to run London zoo and Whipsnade park. The company has now drawn up a development strategy, which draws on the earlier consultants' report but also reflects much innovative and imaginative thinking by the new team.

Strengthened by their expert new management, and with this support from Government, the society and its operating company are now in a position to harness public enthusiasm and secure, once and for all, a successful future for these world-famous zoos, without further public subsidy. The Government's financial commitment to the zoos is therefore at an end.

Government Car Service

Mr. Tony Banks: To ask the Secretary of State for the Environment what is the current number of vehicles in the secure car service pool; how many are of *(a)* British manufacture and *(b)* foreign manufacture; how many of the vehicles are able to use unleaded petrol; and what was the total cost of the secure car service in the financial year 1987-88.

Mr. Chope *[holding answer 3 November 1988]:* It is not the practice to give information about matters of security in the Government car service. As regards the Government car service generally, there are 174 vehicles, all of which are British badged. Twenty-five of the 79 allocated to Ministers can run on unleaded fuel. Vehicles capable of running on unleaded fuel are purchased as replacements become due for existing vehicles.

The total cost of operating the secure car service to Ministers and heads of Departments during 1987-88 was provided in a written reply on 15 April 1988 at column 232.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will list by Department the number of parking tickets received and the total amount paid in respect of Government car service vehicles in 1987 and 1988 to date.

Mr. Chope *[holding answer 3 November 1988]:* The number of parking fines incurred by Government car service vehicles in 1987 and the total sum of fines paid were provided in a written reply on 15 April 1988, at column 233.

There have been 207 fines incurred during 1988 to date, at a total cost of £2,534. The details by Department are as follows:

Department	Number
Scottish Office	164
Ministry of Agriculture, Fisheries and Food	21
Foreign and Commonwealth Office	3
Department of Health and Social Security	3
Welsh Office	2
Northern Ireland Office	2
Central Office of Information	2
Department of Employment	1
Department of Education and Science	2
Home Office	2
Department of the Environment	2
Treasury	1
Department of Trade and Industry	1
ACAS	1

AGRICULTURE, FISHERIES AND FOOD

EC Food Surpluses

Mr. Andrew Mitchell: To ask the Minister of Agriculture, Fisheries and Food what steps he proposes to take in light of the European Court of Auditors report on the serious allegations of inadequate financial control over EEC food surpluses.

Mr. Ryder: I intend to ask for a discussion of this report at the next Agriculture Council on 14-15 November. The European Commission have announced that a working group will shortly be considering the report, and I wish to ensure that its findings are acted on speedily.

Mr. Andrew Mitchell: To ask the Minister of Agriculture, Fisheries and Food what measures he is taking to ensure that the present reductions in food surpluses are not reversed at a later date.

Mr. Ryder: The measures agreed at the European Council in February on budget discipline and the reform of the CAP have greatly reduced the incentive to surplus production. Downward pressure has been exerted for a number of years on support levels, and this is now significantly augmented by stabilisers. With the reduced availability of intervention (which the Commission proposes should be taken further in the beef sector as part of the current review of the regime) the prospects for bringing Community supply and demand into better balance have been greatly improved. I shall continue to press for further action, and the current GATT round offers the opportunity to make reductions in support and protection in liaison with our trading partners.

Smallholdings

Mr. Robert Banks: To ask the Minister of Agriculture, Fisheries and Food if he will set out the costs for the management of smallholdings in each of the county authorities for the last three years.

Mr. Ryder: The administrative costs to county authorities of managing their smallholding's estates in the financial years 1984-85, 1985-86 and 1986-87 were as follows:

County Council	Financial Year 1984-85 £	1985-86 £	1986-87 £
Avon	52,940	53,446	56,949
Bedfordshire	79,687	78,116	92,756
Berkshire	35,399	35,529	22,088
Buckinghamshire	69,764	70,604	68,024
Cambridgeshire	326,700	224,488	391,512
Cheshire	200,168	239,844	313,914
Cleveland	11,183	13,726	14,782
Cornwall	134,495	146,918	170,302
Cumbria	46,518	46,987	47,526
Devon	103,511	115,132	147,604
Dorset	79,494	91,291	93,809
Durham	95,398	107,572	109,360
East Sussex	19,050	32,861	28,066
Essex	137,749	110,340	121,761
Gloucestershire	159,150	121,320	142,859
Greater London Council	132,333	104,383	—
Greater Manchester	n.a.	n.a.	—
Hampshire	91,879	85,670	91,661
Hereford and Worcester	126,894	103,293	96,121
Hertfordshire	55,157	72,935	66,597
Humberside	84,929	97,619	77,083
Isle of Wight	34,357	23,067	20,185
Kent	44,307	52,647	51,310
Lancashire	89,409	96,198	106,361
Leicestershire	136,383	100,735	94,152
Lincolnshire	230,416	248,705	279,477
Merseyside	36,576	34,571	—
Norfolk	179,578	233,779	175,927

County Council	Financial Year 1984-85 £	1985-86 £	1986-87 £
Northamptonshire	16,754	38,685	93,810
Northumberland	32,768	48,773	61,784
North Yorkshire	105,100	101,799	125,300
Nottinghamshire	40,145	39,053	47,350
Oxfordshire	47,900	49,488	54,200
Shropshire	175,310	206,937	218,340
Somerset	162,763	176,290	195,800
South Yorkshire	29,300	27,977	[1]—
Staffordshire	151,708	177,859	192,819
Suffolk	118,001	98,396	96,259
Surrey	192,838	209,941	208,273
Tyne and Wear	838	n.a.	[1]—
Warwickshire	46,387	51,408	56,471
West Midlands	74,135	106,984	[1]—
West Sussex	40,000	42,448	47,328
West Yorkshire	27,628	n.a.	[1]—
Wiltshire	164,502	163,833	167,489
Totals	4,257,423	4,267,391	4,435,809

Notes:
[1] The Greater London Council and the Metropolitan County Councils were abolished on 1 April 1986.
n.a. = Information not available.
Figures for 1987-88 are not yet available.

Apples

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what restrictions are applied at present to the import of apples; which foreign countries are affected; who imposed the restrictions; and for what reasons.

Mr. Ryder: The import licensing arrangements and quantitative restrictions imposed by the European Commission earlier this year on apples from third countries lapsed on 31 August; consequently, no such restrictions are currently applicable.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food by which European Community organisation restrictions on apple imports are determined.

Mr. Ryder: I refer my hon. Friend to his answer of 17 May and those given earlier.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the annual production of apples in the European Community in each of the most recent five years for which figures or estimates are available; and what is the level of European Community demand for apples.

Mr. Ryder: Production of apples in the Community over the last five years for which figures are available was as follows:

	'000 tonnes
1983	6,612
1984	8,340
1985	6,903
1986	9,168
1987	[1]7,969

[1] Provisional.

The figures for 1986 and 1987 include production in Spain and Portugal. Consumption of unprocessed apples in the Community in 1986 was of the order of 6 million tonnes.

Fruit and Vegetables

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what are the proposals under consideration for the destruction or disposal of fruit and vegetables by the European Community; and what quantity of each fruit or vegetable is affected.

Mr. Ryder: I know of no new proposals under consideration for the destruction or disposal of fruit and vegetables by the European Community. Under the current intervention system, the provisional figures for quantities withdrawn from the market in 1987-88 are as follows:

	Tonnes
Cauliflowers	120,000
Apricots	2,000
Peaches	527,000
Lemons	5,000
Tomatoes	43,000
Aubergines	300
Pears	89,000
Apples	591,000
Mandarins	6,000
Clementines	80

Figures for oranges, satsumas and nectarines are not yet available.

Common Agricultural Policy (Special Sales)

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will list the special sales authorised by the management committee of the common agricultural policy over the past 12 months; and if he will detail the amount of each special sale and the sale price in terms of pence per pound.

Mr. MacGregor: At any one time, CAP arrangements provide for a number of sales schemes from intervention and from the open market. These tend to follow established patterns, but the following sales to non-EC countries, agreed over the last 12 months, have distinguishing features:

Commodity	Date	Quantity (tonnes)	Destination	Sale price (p/lb)
Butter	November 1987	200,100	USSR	[4]6·17
SMP	November 1987	2,000	Peru	[4]23·3
Wheat	November to December 1987	1,012,000	USSR	[1]2·1
Wheat	December 1987	480,000	USSR	[1]1·7
Barley	December 1987	953,000	USSR	[1]1·5
Beef	March 1988	5,921	Venezuela	[3]31·6
Wheat	April 1988	70,000	Poland	[1]2·4
Wheat	May 1988	110,000	Morocco	[1]2·5
Butter	May 1988	6,000	Egypt	[2]2·72
Butter	May 1988	6,000	Algeria	[2]2·72
Butter	May 1988	4,000	Tunisia	[2]2·72
Wheat	June 1988	168,000	South Korea	[1]2·9
Wheat	June 1988	40,000	Morocco	[1]3·0
Barley	June 1988	112,000	Algeria	[1]2·8
Barley	July 1988	25,000	Algeria	[1]3·2
Wheat	July 1988	6,000	Morocco	[1]3·0
Butter	July 1988	110,000	USSR	[4]6·47
Beef	August 1988	60,000	Eastern Europe	[3]16·2
Barley	September 1988	2,210,000	USSR/Other destinations[5]	[1]3·2
Wheat	September 1988	2,510,000	USSR/Other destinations[5]	[1]3·9
Beef	October 1988	100,000	Eastern Europe	[3]17·3

[1] Price is calculated from the dollar equivalent of the price actually paid by the purchaser (including MCAs) converted into sterling at spot rates at time of sale.
[2] The price is the sale price (including MCAs where applicable) that would have been obtained if the beef had been exported from the United Kingdom, which it was not.
[3] The price is the actual sale price (exclusive of MCAs), converted into sterling at the green rate. None of the butter was exported from the United Kingdom.
[4] Some of the grain exported was of United Kingdom origin.
[5] The quantities destined for the USSR (which it is not possible separately to identify) benefited from an additional subsidy of 0·13p/lb.

FOREIGN AND COMMONWEALTH AFFAIRS

Legislation (Sovereignty)

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those areas of legislative initiative that remain freely available to Her Majesty's Government and which do not lie within the originating competence of the Commission of the European Economic Communities.

Mr. Waldegrave: The member states retain national legislative competence in those areas where the Community does not have exclusive competence under the EEC treaty or instruments adopted under it, for example, in areas such as criminal law, family law, rules on the ownership of property. It would not be practicable to compile an exhaustive list in the form required.

Leonid Luboman

Mr. Wheeler: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, in the light of the proposed release of all political prisoners in the Soviet Union, he will make representations on behalf of Leonid Luboman, now in 12th year of imprisonment.

Mr. Waldegrave: We regularly make representations to the Soviet authorities on behalf of prisoners of conscience such as Leonid Luboman. We raised his case most recently at the official bilateral talks on human rights in Moscow on 23 June and we will continue to raise it at every appropriate opportunity until Mr. Luboman is released.

European Parliament

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, following the recent European Court decision, Her Majesty's Government propose to make an estimate of the additional cost of locating the activities of the European Parliament in three centres at Luxembourg, Brussels and Strasbourg, as against Brussels only.

Mr. Waldegrave: No. Any change to existing arrangements would, under the EC treaties, require the unanimous agreement of the Governments of the member states. Such unanimity appears unlikely in the foreseeable future.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, following the recent European Court decision, the Government intends to raise at an early Council meeting the subject of the seat of the European Parliament.

Mr. Waldegrave: No. The recent European Court of Justice ruling does not alter the fact that under the EC treaty the permanent seats of the institutions are to be determined by common accord of the Governments of the member states—that is, unanimity. Such unanimity is unlikely in the foreseeable future.

Israel

Mr. Faulds: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government has made to the Israeli Government following its recent decision to suspend payment of port and transportation costs of commodities for the United Nations Relief and Work Agency's use in the west bank and Gaza strip.

Mr. Waldegrave: None.

Anglo-Irish Relations

Mr. Gerald Howarth: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent factors and events have influenced Anglo-Irish relations.

Sir Geoffrey Howe *[pursuant to his reply, 8 June 1988, c. 608]:* I signed an agreement with the Republic of Ireland on the delimitation of the continental shelf in Dublin on 7 November. Copies of the agreement have been placed in the Library of the House.

The agreement lays down boundaries of the continental shelf in the Irish and Celtic seas and the south-west approaches as well as to the west of Scotland, taking full account of the current rules of international law. It removes altogether the need for the arbitration previously announced.

The agreement will bring advantages to both sides, in particular in opening up new areas for the off-shore industries where, in the absence of such an agreement in the past, exploitation was prevented.

I regard this agreement as a very positive outcome of lengthy negotiations, and an equitable solution to a dispute which began nearly 25 years ago.

SCOTLAND

Ambulance Service

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for each of the past 10 years *(a)* the total man hours of the Scottish ambulance service and *(b)* the number of man hours spent on emergencies.

Mr. Michael Forsyth: The total man hours worked are as follows:—

Year ending 31 March	*Man Hours*
1979	3,240,640
1980	3,382,080
1981	3,425,760
1982	3,463,200
1983	3,531,840
1984	3,527,680
1985	3,577,600
1986	3,627,520
1987	3,642,080
1988	3,721,120

The information about emergencies is not available in the form requested. The latest available information shows that the accident and emergency element of the Scottish ambulance service carried 15 per cent. of the patients (7 per cent. 999 cases and 8 per cent. urgent hospital admissions and urgent inter-hospital transfers) and accounted for about 70 per cent. of the approved manpower establishment of the Scottish ambulance service.

Mr. Darling: To ask the Secretary of State for Scotland how many ambulances in Scotland are crewed by *(a)* one person and *(b)* two persons in respect of each Scottish ambulance service area.

Mr. Michael Forsyth: All Scottish ambulance service ambulances are capable of being crewed by one or two members of staff depending on operational circumstances and the mobility and physical condition of the expected patients. It is therefore not possible to provide the information in the form requested.

Mr. Darling: To ask the Secretary of State for Scotland when he expects to give approval for the relocation and improvement of the Scottish ambulance service control room in Edinburgh.

Mr. Michael Forsyth: The relocation and improvement of the control room in Edinburgh is being considered by the Scottish ambulance service as part of a wider rationalisation of all the service's control centres in Scotland. I expect proposals to be submitted to the Scottish Home and Health Department shortly.

Mr. Darling: To ask the Secretary of State for Scotland if he has any proposals to computerise the control facilities of the Scottish ambulance service in each area.

Mr. Michael Forsyth: The computerisation of control facilities is an operational matter for the Scottish ambulance service. I understand that proposals for computerisation are shortly to be submitted to the Scottish Home and Health Department.

Mr. Darling: To ask the Secretary of State for Scotland if he will list for each Scottish ambulance service area the percentage of emergency calls answered within *(a)* eight minutes and *(b)* 20 minutes and; in respect of Glasgow only (i) seven minutes and (ii) 14 minutes.

Mr. Michael Forsyth: In 1987-88, the response times for accident and 999 calls were as follows:

Area	*8 minutes per cent.*	*14 minutes per cent.*	*20 minutes per cent.*
Highland and Western Isles	62·5	—	89·3
Grampian, Orkney and Shetland	68·2	—	94·6
Tayside	69·6	—	96·7
Fife, Lothian and Borders	60·5	—	97·0
Glasgow	47·4	83·5	94·9
Forth Valley and Lanarkshire	66·8	—	98·3
Argyll and Clyde	62·6	—	95·8
Ayrshire, Dumfries and Galloway	69·8	—	96·9

Emergency calls answered within seven minutes are not recorded separately.

Mr. Darling: To ask the Secretary of State for Scotland if he will list for each Scottish ambulance service area the percentage of patients who are uplifted from home at the request of a general practitioner within the time requested by the general practitioner or within five minutes of that time.

Mr. Michael Forsyth: The information requested is not available but a sample survey in September 1988 showed that 71 per cent. of patients, whose transfer to hospital was classed as urgent by the requesting general practitioner, arrived at the receiving hospital no later than five minutes after the time stipulated by the general practitioner.

Mr. Darling: To ask the Secretary of State for Scotland if he will list for each Scottish ambulance service area *(a)* the ambulance crew establishment *(b)* the actual number in post and *(c)* the number on duty and available for work as on 1 October.

Mr. Michael Forsyth: The information requested, relating to 1 October 1988, is as follows:

	Approved Establishment			Number of staff in post			Number of staff on duty and available[1]		
	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
Argyll and Clyde	11	122	49	10	122	48	5	61	—
Ayrshire and Arran and Dumfries and Galloway	12	177	54	12	177	53	4	91	—
Fife, Lothians and Borders	12	303	133	12	302	119	7	152	1
Forth Valley and Lanarkshire	8	190	83	8	190	79	5	101	1
Grampian, Orkney and Shetland	14	105	28	14	102	25	6	41	—
Greater Glasgow	7	120	164	7	120	164	4	64	10
Highland and Western Isles	16	85	3	16	85	2	9	42	—
Tayside	8	98	38	8	98	33	3	41	—
Total	88	1,200	552	87	1,196	523	43	593	12

Notes:
(1) Leading Ambulance Man
(2) Qualified Ambulance Man
(3) Ambulance Man
[1] Numbers on duty are net of those off duty, on leave, sick or training.

It should be noted that 1 October was a Saturday and therefore very few non-emergency ambulance staff were on duty.

Mr. Darling: To ask the Secretary of State for Scotland if he will list for each Scottish ambulance service area *(a)* the number of staff in post and *(b)* the number required to meet current Scottish Office guidelines.

Mr. Michael Forsyth: The number of staff in post is as follows:

Number in post

	Leading Ambulanceman	Qualified Ambulanceman	Ambulanceman	Total
Argyll and Clyde	10	122	47	179
Ayrshire and Arran and Dumfries and Galloway	12	177	54	243
Fife, Lothians and Borders	12	302	127	441
Forth Valley and Lanarkshire	8	190	76	274
Grampian, Orkney and Shetland	14	103	25	142
Greater Glasgow	7	120	163	290
Highland and Western Isles	16	85	2	103
Tayside	8	93	37	138
TOTAL	87	1,192	531	1,810

The Scottish Home and Health Department does not set staffing levels. This is an operational matter for the Scottish ambulance service to decide in the light of anticipated demand.

Mr. Darling: To ask the Secretary of State for Scotland if he will estimate the additional sums required to fund the Scottish ambulance service as identified by his Department's most recent survey.

Mr. Michael Forsyth: As part of the current public expenditure survey, an estimate is being made of the funding requirements for the Scottish ambulance service. The results will be published in the public expenditure White Paper in due course.

Chambers of Commerce

Mr. Cran: To ask the Secretary of State for Scotland when he last met the chairman of the chambers of commerce in Scotland; and what matters were discussed.

Mr. Lang: I met the chairman of the Association of Scottish Chambers of Commerce on 19 October when I discussed matters pertaining to business rates with the Scottish business rates committee.

School Visits

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the names of all primary and secondary schools, further education colleges, and institutes of higher education he has visited and those visited by the Minister responsible for education since 1987.

Mr. Michael Forsyth: The information is as follows:

VISITS BY SECRETARY OF STATE

(a) Schools
Strathallan School (secondary)
Perth Academy
Queen Victoria School Dunblane (primary/secondary)
Glenwood High School, Glenrothes
St. Mary's Music School, Edinburgh

(b) Further education colleges:
Bell College, Hamilton

(c) Institutes of higher education
St. Andrew's University
Edinburgh University (3 visits)
Napier Polytechnic of Edinburgh
Robert Gordon's Institute of Technology
Strathclyde University
Paisley College of Technology
Heriot-Watt University

VISITS BY MINISTER OF EDUCATION

(a) Schools

Jordanhill College School (primary/secondary)
Culloden Academy
Tynecastle High School
Aberdeen School for the Deaf
Newlands Primary School, Tweeddale
Liberton High School
Juniper Green Primary School
Knightswood Secondary School
Our Lady and St. Francis Secondary School
St. Vigean's Primary School
Arbroath High School
Paisley Grammar School
Marr College, Troon
St. Thomas Acquinas Secondary School, Glasgow
Notre Dame High School, Glasgow
Forrester High School, Edinburgh
McLaren High School, Callendar
Balerno High School
Stanmore House School, Lanark
St. Joseph's College, Dumfries
Gretna Primary School

(b) Further education colleges:

Aberdeen Technical College
Perth College

(c) Institutes of higher education

Napier Polytechnic of Edinburgh
Queen Margaret College
The Queen's College, Glasgow
Stirling University (2 visits)
Dundee University
Glasgow College of Technology

Alcohol Licences

Mr. Darling: To ask the Secretary of State for Scotland what information he has as to the number of licences granted to sell alcohol after *(a)* 11 pm, *(b)* 12 pm, *(c)* 1 am, *(d)* 2 am, *(e)* 3 am and *(f)* 4 am in respect of each licensing board area in Scotland.

Lord James Douglas-Hamilton *[holding answer 7 November 1988]:* None. The central collection of liquor licensing statistics ceased in 1981; before then the only figures collected related to the numbers and types of licenses issued, not to regular or occasional extensions.

EMPLOYMENT

Community Programme

Mr. Ray Powell: To ask the Secretary of State for Employment how many people employed under the previous community programme are still with their old employers under their old contracts.

Mr. Nicholls: At 30 September 1988 there were 9,984 filled community programme places with agents and sponsors that had not moved forward into employment training. It is not possible to say how many other people remaining on community programme terms and conditions, but receiving training and work experience with ET training managers, are still with their old employers under their old contracts.

Job Clubs

Mr. David Martin: To ask the Secretary of State for Employment what are the latest figures available for the number of people who have found jobs through using the services of the job clubs at Lake road jobcentre, Portsmouth.

Mr. Lee: From when the job club opened in January 1987 up to the end of September 1988, a total of 159 members have found jobs. This means that 81 per cent. of people leaving went into jobs and a further 8 per cent. left for other positive outcomes such as training or a place on the enterprise allowance scheme. This 90 per cent. success rate is a very commendable achievement by the Lake road job club.

Ms. Short: To ask the Secretary of State for Employment how many job clubs have been opened and closed since the start of the programme; how many of those are run directly by jobcentres or other sponsors; what future developments are likely in the job club programme; and if he will make a statement.

Mr. Lee: The numbers of job clubs opened and closed since the start of the programme are not readily available and it would be costly to get this information. There are currently 1,221 job clubs open. Of these 539 are run by employment service staff, mainly based in jobcentres, with 682 run by other organisations working to an annual contract. Future developments include forming close links with employment training, giving extra help to job club members in inner city areas and providing help for people in more remote rural areas who cannot readily attend a job club regularly. The shape of the programme for 1989-90 is currently under consideration as part of the annual planning round.

Employment Training

Mr. Hayward: To ask the Secretary of State for Employment how much is to be spent on employment training within Greater London.

Mr. Lee: On Wednesday 2 November, my right hon. Friend issued the results of a survey into unemployment in the London area. At the same time, my right hon. Friend announced a package of measures designed to redress the imbalance which the survey revealed between the number of people claiming unemployment benefit and the number of unfilled vacancies. These measures include the creation of a new team of investigators to work exclusively in inner London.

Benefit Fraud

Mr. Hayward: To ask the Secretary of State for Employment what inquiries have been made into fraudulent claims within Greater London by individuals at unemployment benefit offices in the last two years; and what has been the net saving to the Exchequer.

Mr. Lee: Records of the number and nature of inquiries into possibly fraudulent claims to benefit of people claiming unemployment at local offices within Greater London are not held centrally and could be obtained only at disproportionate cost.

Labour Statistics

Mr. Leigh: To ask the Secretary of State for Employment if he will list the parliamentary constituencies on which the number of people out of work and claiming benefit declined by 20 per cent. and over between August 1984 and August 1988 including in the data for each constituency the total for *(a)* August 1984, *(b)* August 1988 and *(c)* the percentage reductions.

Mr. Lee: The following information is in the Library. The table shows the parliamentary constituencies in Great Britain where the number of unemployed claimants has fallen by 20 per cent. or more between August 1984 and August 1988 together with the number of unemployed in each constituency at the requested dates. The figures are affected by the change in compilation of the count in March 1986 to reduce over-recording.

Parliamentary constituencies with a fall in unemployed of 20 per cent. and more between August 1984 and August 1988

Parliamentary constituency	*Unemployed claimants*			
	August 1984	*August 1988*	*Change*	*Percentage change*
Birmingham Hodge Hill	7,725	6,172	−1,553	−20·10
Carlisle	3,750	2,992	−758	−20·21
Holborn and St. Pancras	8,592	6,853	−1,739	−20·24
Walthamstow	3,881	3,091	−790	−20·36
Easington	5,875	4,678	−1,197	−20·37
Islwyn	3,581	2,849	−732	−20·44
Monklands West	4,957	3,941	−1,016	−20·50
Islington North	8,790	6,985	−1,805	−20·53
Glasgow Ruthergien	7,018	5,572	−1,446	−20·60
Dumfries	3,804	3,018	−786	−20·66
Fulham	5,192	4,118	−1,074	−20·69
Ayr	4,862	3,847	−1,015	−20·88
Newark	4,089	3,235	−854	−20·89
Edinburgh East	4,718	3,729	−989	−20·96
Liverpool Riverside	12,138	9,589	−2,549	−21·00
Birkenhead	9,430	7,447	−1,983	−21·03
Newcastle-upon-Tyne Central	6,068	4,788	−1,280	−21·09
Brent North	3,131	2,470	−661	−21·11
Monklands East	6,081	4,796	−1,285	−21·13
Brent South	6,569	5,179	−1,390	−21·16
Elmet	3,235	2,549	−686	−21·21
Bow and Poplar	8,206	6,464	−1,742	−21·23
Birmingham Small Heath	10,472	8,240	−2,232	−21·31
South Derbyshire	4,012	3,156	−856	−21·34
Derby North	5,140	4,043	−1,097	−21·34
Sunderland South	8,740	6,873	−1,867	−21·36
Greenwich	4,423	3,478	−945	−21·37
South East Cornwall	3,328	2,614	−714	−21·45
Torridge and West Devon	3,467	2,719	−748	−21·57
Falmouth and Camborne	5,250	4,113	−1,137	−21·66
Cardiff Central	6,155	4,819	−1,336	−21·71
Tynemouth	6,122	4,791	−1,331	−21·74
Houghton and Washington	7,826	6,124	−1,702	−21·75
Edinburgh West	2,537	1,985	−552	−21·76
Darlington	5,969	4,665	−1,304	−21·85
Dumbarton	5,957	4,652	−1,305	−21·91
Streatham	6,194	4,832	−1,362	−21·99
Kilmarnock and Loudoun	5,764	4,496	−1,268	−22·00
Cunninghame South	6,253	4,877	−1,376	−22·01
Isle of Wight	5,105	3,963	−1,142	−22·37
Blaydon	4,954	3,843	−1,111	−22·43
Manchester Central	11,694	9,069	−2,625	−22·45
Roxburgh and Berwickshire	1,797	1,393	−404	−22·48
Bradford North	7,450	5,775	−1,675	−22·48
Sunderland North	11,025	8,516	−2,509	−22·76
Liverpool Garston	7,884	6,085	−1,799	−22·82
Wallsend	7,676	5,924	−1,752	−22·82
Newham North West	5,417	4,175	−1,242	−22·93
Leeds North East	4,666	3,589	−1,077	−23·08
Ealing Acton	4,488	3,452	−1,036	−23·08
Gainsborough and Horncastle	3,731	2,865	−866	−23·21
Crosby	5,525	4,239	−1,286	−23·28
Ross, Cromarty and Skye	4,450	3,412	−1,038	−23·33
Wirral West	4,444	3,407	−1,037	−23·33
Copeland	3,974	3,046	−928	−23·35
Chingford	2,510	1,923	−587	−23·39
Pontypridd	4,670	3,575	−1,095	−23·45
Enfield Southgate	2,689	2,058	−631	−23·53
Paisley South	5,639	4,312	−1,327	−23·47
Derby South	7,724	5,906	−1,818	−23·54
Stretford	9,112	6,967	−2,145	−23·54
Weston-Super-Mare	3,792	2,897	−895	−23·60
Waveney	4,724	3,602	−1,122	−23·75
Dundee East	8,212	6,251	−1,961	−23·88
Clwyd South West	3,511	2,667	−844	−24·04
Harrow East	3,533	2,682	−851	−24·09
Penrith and the Borders	2,882	2,186	−696	−24·15
Meirionnydd nant Conwy	1,605	1,217	−388	−24·17
Enfield North	3,343	2,529	−814	−24·35
Birmingham Edgbaston	5,475	4,141	−1,334	−24·37
Norwood	8,205	6,199	−2,006	−24·45

Parliamentary constituency	Unemployed claimant			
	August 1984	August 1988	Change	Percentage change
Dundee West	6,787	5,126	−1,661	−24·47
Leeds East	7,122	5,379	−1,743	−24·47
Newcastle-upon-Tyne North	6,311	4,766	−1,545	−24·48
Cardiff West	6,023	4,548	−1,475	−24·49
Hamilton	6,639	5,011	−1,628	−24·52
Bolton South East	6,657	5,022	−1,635	−24·56
Stockton South	7,356	5,549	−1,807	−24·56
Bootle	11,071	8,351	−2,720	−24·57
Blackpool South	4,707	3,549	−1,158	−24·60
City of Chester	5,471	4,123	−1,348	−24·64
Liverpool West Derby	9,667	7,285	−2,382	−24·64
Oldham Central and Royton	6,115	4,608	−1,507	−24·64
Glasgow Provan	9,176	6,914	−2,262	−24·65
Wolverhampton North East	8,435	6,355	−2,080	−24·66
Blackpool North	4,797	3,613	−1,184	−24·68
Newham South	5,451	4,099	−1,352	−24·80
Southport	4,572	3,438	−1,134	−24·80
Motherwell North	6,483	4,872	−1,611	−24·85
Crewe and Nantwich	4,563	3,427	−1,136	−24·90
Swansea West	5,964	4,478	−1,486	−24·92
Bradford West	8,717	6,544	−2,173	−24·93
Lancaster	3,484	2,614	−870	−24·97
Bolton North East	5,548	4,156	−1,392	−25·09
Makerfield	5,979	4,477	−1,502	−25·12
Ryedale	2,716	2,032	−684	−25·18
Ashton-under-Lyne	4,787	3,580	−1,207	−25·21
Bridgwater	3,592	2,685	−907	−25·25
Rochdale	6,518	4,872	−1,646	−25·25
Lewisham East	4,469	3,340	−1,129	−25·26
Leeds West	5,498	4,109	−1,389	−25·26
Jarrow	7,443	5,560	−1,883	−25·30
Colne Valley	3,962	2,959	−1,003	−25·32
Newport West	5,178	3,863	−1,315	−25·40
St. Helens South	7,655	5,697	−1,958	−25·58
Brigg and Cleethorpes	5,915	4,396	−1,519	−25·68
Hendon North	2,706	2,011	−695	−25·68
Eltham	3,423	2,539	−884	−25·83
Bolton West	5,090	3,768	−1,322	−25·97
Beverley	3,399	2,514	−885	−26·04
Rhondda	5,164	3,814	−1,350	−26·14
Llanelli	4,585	3,382	−1,203	−26·24
Warrington South	6,016	4,437	−1,579	−26·25
Oldham West	4,504	3,321	−1,183	−26·27
Eccles	5,508	4,061	−1,447	−26·27
Birmingham Northfield	8,500	6,265	−2,235	−26·29
Birmingham Selly Oak	6,554	4,830	−1,724	−26·30
Birmingham Sparkbrook	9,431	6,948	−2,483	−26·33
North Devon	3,531	2,601	−930	−26·34
Falkirk East	4,910	3,615	−1,295	−26·37
North West Leicestershire	3,597	2,647	−950	−26·41
Grantham	4,100	3,017	−1,083	−26·41
Blaenau Gwent	5,406	3,978	−1,428	−26·42
Brecon and Radnor	2,360	1,735	−625	−26·48
Bristol East	4,653	3,420	−1,233	−26·50
Wyre	3,807	2,796	−1,011	−26·56
North Cornwall	3,808	2,795	−1,013	−26·60
Southampton Itchen	5,796	4,254	−1,542	−26·60
North Durham	6,798	4,987	−1,811	−26·64
Broxtowe	3,596	2,638	−958	−26·64
Ogmore	4,396	3,212	−1,184	−26·93
Vale of Glamorgan	4,800	3,504	−1,296	−27·00
Torfaen	5,208	3,800	−1,408	−27·04
Hampstead and Highgate	6,249	4,558	−1,691	−27·06
Birmingham Ladywood	10,298	7,507	−2,791	−27·10
Sedgefield	4,714	3,436	−1,278	−27·11
Dewsbury	4,894	3,567	−1,327	−27·11
Knowsley North	9,860	7,173	−2,687	−27·25
Dulwich	4,702	3,415	−1,287	−27·37
St. Helens North	6,772	4,917	−1,855	−27·39
High Peak	3,810	2,762	−1,048	−27·51
Cardiff North	2,643	1,916	−727	−27·51
Motherwell South	5,670	4,108	−1,562	−27·55
Yeovil	2,715	1,967	−748	−27·55
Keighley	3,947	2,859	−1,088	−27·57
South Hams	3,587	2,598	−989	−27·57
Norwich South	5,605	4,059	−1,546	−27·58
Wolverhampton South East	7,053	5,106	−1,947	−27·61

Parliamentary constituency	Unemployed claimant			
	August 1984	August 1988	Change	Percentage change
Westmorland and Lonsdale	1,936	1,400	−536	−27·69
Stalybridge and Hyde	5,785	4,178	−1,607	−27·78
Redcar	8,927	6,441	−2,486	−27·85
Neath	4,235	3,052	−1,183	−27·93
Livingston	5,172	3,725	−1,447	−27·98
Fylde	2,749	1,978	−771	−28·05
Birmingham Perry Barr	8,366	6,017	−2,349	−28·08
Rushcliffe	3,752	2,698	−1,054	−28·09
North Thanet	4,529	3,254	−1,275	−28·15
Falkirk West	4,389	3,152	−1,237	−28·18
Wells	2,657	1,907	−750	−28·23
Torbay	4,880	3,502	−1,378	−28·24
Booth Ferry	3,981	2,843	−1,138	−28·59
Croydon North West	3,777	2,697	−1,080	−28·59
Skipton and Ripon	2,437	1,740	−697	−28·60
Brighton Pavilion	4,751	3,387	−1,364	−28·71
Stafford	3,800	2,709	−1,091	−28·71
Burton	4,485	3,192	−1,293	−28·83
Langbaurgh	8,168	5,813	−2,355	−28·83
Blackburn	7,843	5,580	−2,263	−28·85
Merthyr Tydfil and Rhymney	5,564	3,956	−1,608	−28·90
Wansbeck	5,979	4,250	−1,729	−28·92
Linlithgow	5,494	3,905	−1,589	−28·92
Birmingham Erdington	8,297	5,897	−2,400	−28·93
Stockton North	9,094	6,462	−2,632	−28·94
Canterbury	3,601	2,558	−1,043	−28·96
Middlesbrough	10,959	7,781	−3,178	−29·00
Kingston-upon-Hull East	7,566	5,369	−2,197	−29·04
South Staffordshire	5,149	3,653	−1,496	−29·05
Dover	3,597	2,551	−1,046	−29·08
Ealing North	3,716	2,635	−1,081	−29·09
Wirral South	4,210	2,983	−1,227	−29·14
West Bromwich West	7,031	4,979	−2,052	−29·19
Preston	7,619	5,395	−2,224	−29·19
Ribble Valley	2,164	1,532	−632	−29·21
Manchester Wythenshawe	6,785	4,803	−1,982	−29·21
Cardiff South and Penarth	5,697	4,031	−1,666	−29·24
Ilford South	3,971	2,805	−1,166	−29·36
West Bromwich East	6,141	4,335	−1,806	−29·41
Orpington	2,132	1,503	−629	−29·50
Hendon South	2,837	1,999	−838	−29·54
Huddersfield	5,603	3,945	−1,658	−29·59
Montgomery	1,996	1,404	−592	−29·66
Calder Valley	4,131	2,905	−1,226	−29·68
Birmingham Hall Green	5,963	4,193	−1,770	−29·68
Kingswood	3,600	2,528	−1,072	−29·78
Littleborough and Saddleworth	3,681	2,584	−1,097	−29·80
Batley and Spen	4,928	3,459	−1,469	−29·81
Monmouth	3,231	2,266	−965	−29·87
Norwich North	3,539	2,481	−1,058	−29·90
Croydon North East	3,638	2,550	−1,088	−29·91
Meriden	7,137	4,999	−2,138	−29·96
Knowsley South	10,214	7,151	−3,063	−29·99
Harrow West	2,630	1,840	−790	−30·04
Kensington	5,352	3,741	−1,611	−30·10
Salford East	8,910	6,217	−2,693	−30·22
Bristol South	7,061	4,923	−2,138	−30·28
Gateshead East	7,306	5,092	−2,214	−30·30
Portsmouth South	6,902	4,810	−2,092	−30·31
Halton	8,118	5,657	−2,461	−30·32
Mid Staffordshire	4,016	2,798	−1,218	−30·33
Ilford North	2,681	1,867	−814	−30·36
Richmond	3,632	2,529	−1,103	−30·37
Swansea East	5,901	4,107	−1,794	−30·40
Hartlepool	9,596	6,678	−2,918	−30·41
West Lancashire	7,039	4,896	−2,143	−30·44
Caerphilly	5,560	3,866	−1,694	−30·47
Birmingham Yardley	5,244	3,645	−1,599	−30·49
Holland with Boston	3,482	2,419	−1,063	−30·53
Ealing Southall	5,891	4,091	−1,800	−30·56
Battersea	6,591	4,576	−2,015	−30·57
Leeds North West	4,426	3,068	−1,358	−30·68
Halifax	5,665	3,926	−1,739	−30·70
Brighton Kemptown	4,687	3,245	−1,442	−30·77
Hyndburn	4,170	2,884	−1,286	−30·84
Taunton	3,651	2,525	−1,126	−30·84
Newcastle-under-Lyme	4,325	2,991	−1,334	−30·84

Parliamentary constituency	Unemployed claimant			
	August 1984	August 1988	Change	Percentage change
Heywood and Middleton	5,955	4,118	−1,837	−30·85
Woodspring	2,946	2,035	−911	−30·92
Folkestone and Hythe	4,039	2,790	−1,249	−30·92
Bromsgrove	4,122	2,847	−1,275	−30·93
North West Durham	5,964	4,117	−1,847	−30·97
Dudley East	8,010	5,521	−2,489	−31·07
Mitcham and Morden	3,377	2,327	−1,050	−31·09
Finchley	2,884	1,979	−905	−31·38
Erewash	4,995	3,427	−1,568	−31·39
Morley and Leeds South	4,627	3,172	−1,455	−31·45
Halesowen and Stourbridge	4,921	3,373	−1,548	−31·46
Harwich	4,091	2,798	−1,293	−31·61
Denton and Reddish	5,689	3,887	−1,802	−31·68
Bradford South	6,122	4,180	−1,942	−31·72
Hexham	2,407	1,641	−766	−31·82
Wansdyke	2,903	1,979	−924	−31·83
Sutton Coldfield	3,720	2,532	−1,188	−31·94
Southampton Test	5,268	3,584	−1,684	−31·97
Coventry South East	6,893	4,689	−2,204	−31·97
Bridgend	4,023	2,734	−1,289	−32·04
Old Bexley and Sidcup	1,786	1,211	−575	−32·19
Tooting	5,634	3,819	−1,815	−32·22
Coventry North East	8,745	5,922	−2,823	−32·28
Tiverton	2,698	1,827	−871	−32·28
Cannock and Burntwood	5,366	3,633	−1,733	−32·30
Harrogate	3,037	2,056	−981	−32·30
Bexleyheath	2,249	1,521	−729	−32·37
Burnley	5,949	4,019	−1,930	−32·44
Workington	4,557	3,078	−1,479	−32·46
Bristol North West	4,982	3,363	−1,619	32·50
Bury South	4,622	3,117	−1,505	−32·56
Westbury	3,376	2,273	−1,103	−32·67
Chislehurst	2,142	1,439	−703	−32·82
Honiton	2,861	1,922	−939	−32·82
Eddisbury	5,028	3,369	−1,659	−33·00
Dorset West	1,857	1,243	−614	−33·06
Gosport	3,559	2,380	−1,179	−33·13
Walsall South	7,491	5,007	−2,484	−33·16
Chorley	4,598	3,071	−1,527	−33·21
Warley West	5,833	3,885	−1,948	−33·40
Pendle	4,597	3,060	−1,537	−33·43
Gower	3,720	2,476	−1,244	−33·44
Warwickshire North	5,091	3,387	−1,704	−33·47
Walsall North	7,895	5,249	−2,646	−33·51
Ipswich	4,074	2,707	−1,367	−33·55
Coventry North West	5,119	3,399	−1,720	−33·60
Dorset South	3,133	2,079	−1,054	−33·64
Bristol West	7,657	4,874	-2,473	−33·66
Solihull	3,657	2,419	−1,238	−33·85
Shipley	3,592	2,376	−1,216	−33·85
Stoke-on-Trent North	5,617	3,713	−1,904	−33·90
Ellesmere Port and Neston	6,366	4,208	−2,158	−33·90
Newport East	5,055	3,339	−1,716	−33·95
Bath	3,817	2,517	−1,300	−34·06
Brentford and Isleworth	4,165	2,742	−1,423	−34·17
Exeter	4,728	3,108	−1,620	−34·26
Pudsey	3,202	2,093	−1,109	−34·63
Eastbourne	2,788	1,822	−966	−34·65
Wanstead and Woodford	2,199	1,436	−763	−34·70
Leicester West	7,299	4,753	−2,546	−34·88
Luton South	6,238	4,058	−2,180	−34·95
Warwick and Leamington	4,459	2,899	−1,560	−34·99
Broxbourne	2,729	1,774	−955	−34·99
Warrington North	6,556	4,258	−2,298	−35·05
Peterborough	7,480	4,857	−2,623	−35·07
Erith and Crayford	3,943	2,560	−1,383	−35·07
Bury North	4,447	2,886	−1,561	−35·10
Cheltenham	4,381	2,839	−1,542	−35·20
Stoke-on-Trent South	4,872	3,155	−1,717	−35·24
Shrewsbury and Atcham	4,085	2,640	−1,445	−35·37
South Norfolk	2,743	1,771	−972	−35·44
North Shropshire	4,209	2,717	−1,492	−35·45
Bury St. Edmunds	2,960	1,910	−1,050	−35·47
Rossendale and Darwen	4,728	3,050	−1,678	−35·49
South East Staffordshire	5,463	3,521	−1,942	−35·55
Altrincham and Sale	3,354	2,160	−1,194	−35·60
Tatton	3,660	2,357	−1,303	−35·60

Parliamentary constituency	Unemployed claimant			
	August 1984	August 1988	Change	Percentage change
Stockport	4,845	3,115	−1,730	−35·71
Gloucester	4,968	3,190	−1,778	−35·79
North West Norfolk	4,416	2,832	−1,584	−35·87
South Thanet	4,143	2,656	−1,487	−35·89
Feltham and Heston	4,679	2,986	−1,693	−36·18
Westminster North	8,557	5,458	−3,099	−36·22
South Ribble	4,626	2,950	−1,676	−36·23
Chipping Barnet	2,168	1,382	−786	−36·25
Hayes and Harlington	2,796	1,781	−1,015	−36·30
Hove	4,187	2,667	−1,520	−36·30
Eastleigh	3,674	2,338	−1,336	−36·36
Leicester South	7,612	4,843	−2,769	−36·38
Northavon	3,459	2,200	−1,259	−36·40
Coventry South West	5,006	3,177	−1,829	−36·54
Chelsea	4,113	2,602	−1,511	−36·74
Romsey and Waterside	3,197	2,022	−1,175	−36·75
Wrexham	5,000	3,152	−1,848	−36·96
Stoke-on-Trent Central	5,909	3,722	−2,187	−37·01
Hereford	4,158	2,619	−1,539	−37·01
Loughborough	3,709	2,336	−1,373	−37·02
Warley East	7,171	4,514	−2,657	−37·05
Norfolk North	3,072	1,931	−1,141	−37·14
Beckenham	3,088	1,940	−1,148	−37·18
Nuneaton	5,462	3,431	−2,031	−37·18
Aldridge-Brownhills	4,276	2,686	−1,590	−37·18
Delyn	4,886	3,066	−1,820	−37·25
Somerton and Frome	2,598	1,623	−975	−37·53
Faversham	5,068	3,166	−1,902	−37·53
Richmond-upon-Thames and Barnes	2,675	1,671	−1,004	−37·53
Fareham	3,021	1,887	−1,134	−37·54
Twickenham	2,307	1,440	−867	−37·58
Putney	3,969	2,466	−1,503	−37·87
Hazel Grove	3,630	2,252	−1,378	−37·96
Epping Forest	2,816	1,746	−1,070	−38·00
Teignbridge	3,373	2,091	−1,282	−38·01
Davyhulme	4,937	3,047	−1,890	−38·28
Leicester East	5,919	3,649	−2,270	−38·35
South Worcestershire	3,396	2,092	−1,304	−38·40
Kingston-upon-Thames	2,408	1,482	−926	−38·46
Swindon	5,873	3,612	−2,261	−38·50
Dudley West	6,716	4,125	−2,591	−38·58
Rugby and Kenilworth	4,512	2,770	−1,742	−38·61
Glanford and Scunthorpe	6,966	4,269	−2,697	−38·72
Lewes	2,468	1,509	−959	−38·86
Barking	4,042	2,471	−1,571	−38·87
North East Cambridgeshire	4,255	2,596	−1,659	−38·99
Ravensbourne	2,017	1,225	−792	−39·27
North Wiltshire	3,518	2,133	−1,385	−39·37
Portsmouth North	4,534	2,741	−1,793	−39·55
Macclesfield	3,400	2,055	−1,345	−39·56
Dartford	3,454	2,087	−1,367	−39·58
Mid Worcestershire	6,016	3,634	−2,382	−39·59
New Forest	2,249	1,358	−891	−39·62
Northampton South	4,032	2,429	−1,603	−39·76
Bishop Auckland	7,166	4,299	−2,867	−40·01
East Hampshire	2,419	1,449	−970	−40·10
Alyn and Deeside	4,694	2,811	−1,883	−40·12
Wyre Forest	5,135	3,067	−2,068	−40·27
Gravesham	4,984	2,976	−2,008	−40·29
The Wrekin	9,589	5,724	−3,865	−40·31
Bexhill and Battle	1,774	1,057	−717	−40·42
Havant	4,918	2,928	−1,990	−40·46
Stroud	3,743	2,223	−1,520	−40·61
Congleton	3,322	1,968	−1,354	−40·76
Croydon South	2,023	1,197	−826	−40·83
Watford	3,235	1,911	−1,324	−40·93
North Luton	4,332	2,558	−1,774	−40·95
Chelmsford	3,035	1,786	−1,249	−41·15
Ashford	3,396	1,996	−1,400	−41·22
South West Norfolk	3,844	2,259	−1,585	−41·23
Staffordshire Moorlands	3,608	2,116	−1,492	−41·35
Suffolk Coastal	2,452	1,437	−1,015	−41·39
Shoreham	2,053	1,202	−851	−41·45
Romford	2,776	1,623	−1,153	−41·53
Cheadle	2,921	1,707	−1,214	−41·56
Aberavon	4,762	2,780	−1,982	−41·62
Sutton and Cheam	2,029	1,183	−846	−41·70

Parliamentary constituency	Unemployed claimants			
	August 1984	August 1988	Change	Percentage change
Daventry	2,713	1,579	−1,134	−41·80
Winchester	2,057	1,197	−860	−41·81
Cambridge	3,554	2,067	−1,487	−41·84
Salisbury	3,208	1,865	−1,343	−41·86
Central Suffolk	3,097	1,789	−1,299	−41·94
Rutland and Melton	3,473	2,016	−1,457	−41·95
Devizes	3,310	1,921	−1,389	−41·96
Croydon Central	3,609	2,091	−1,518	−42·06
Hertsmere	2,595	1,502	−1,093	−42·12
Worthing	2,539	1,469	−1,070	−42·14
Wellingborough	4,111	2,369	−1,742	−42·37
Worcester	5,030	2,894	−2,136	−42·47
The City of London and Westminster South	5,423	3,120	−2,303	−42·47
Carshalton and Wallington	2,899	1,665	−1,234	−42·57
Thurrock	5,822	3,343	−2,479	−42·58
Leominster	3,192	1,817	−1,375	−43·08
Uxbridge	2,625	1,494	−1,131	−43·09
North Colchester	4,129	2,345	−1,784	−43·21
Blaby	2,915	1,653	−1,262	−43·29
Oxford East	4,025	2,282	−1,743	−43·30
Stamford and Spalding	3,325	1,878	−1,447	−43·52
Bournemouth West	3,896	2,197	−1,699	−43·61
South Suffolk	3,281	1,850	−1,431	−43·61
Epsom and Ewell	1,901	1,071	−830	43·66
Bournemouth East	4,951	2,784	−2,167	−43·77
Wimbledon	2,894	1,622	−1,272	−43·95
Cirencester and Tewkesbury	2,976	1,666	−1,310	−44·02
Beaconsfield	1,700	951	−749	−44·06
South West Cambridgeshire	2,500	1,397	−1,103	−44·12
Bosworth	3,557	1,987	−1,570	−44·14
Ludlow	3,722	2,076	−1,646	−44·22
Mid Bedfordshire	2,756	1,536	−1,220	−44·27
Stratford-on-Avon	3,314	1,844	−1,470	−44·36
St. Albans	2,462	1,368	−1,094	−44·44
Hastings and Rye	4,259	2,361	−1,898	−44·56
Upminster	3,029	1,678	−1,351	−44·60
Southend East	4,675	2,586	−2,089	−44·68
Huntingdon	3,511	1,938	−1,573	−44·80
North Bedfordshire	4,573	2,515	−2,058	−45·00
North Dorset	2,181	1,199	−982	−45·03
Slough	4,629	2,544	−2,085	−45·04
West Gloucestershire	4,609	2,531	−2,078	−45·09
Harborough	2,566	1,404	−1,162	−45·28
South East Cambridgeshire	1,892	1,032	−860	−45·45
Northampton North	4,789	2,609	−2,180	−45·52
Poole	3,702	2,011	−1,691	−45·68
Ruislip—Northwood	1,779	966	−813	−45·70
Mid Norfolk	2,989	1,622	−1,367	−45·73
Wycombe	2,932	1,586	−1,346	−45·91
Surbiton	1,554	840	−714	−45·95
Buckingham	2,561	1,375	−1,186	−46·31
Dagenham	4,311	2,305	−2,006	−46·53
Arundel	2,786	1,488	−1,298	−46·59
Kettering	3,308	1,759	−1,549	−46·83
Christchurch	2,254	1,197	−1,057	−46·89
Hertford and Shortford	2,093	1,111	−982	−46·92
Aldershot	2,971	1,571	−1,400	−47·12
Hornchurch	3,047	1,592	−1,455	−47·75
South Colchester and Maldon	4,240	2,214	−2,026	−47·78
East Berkshire	3,196	1,666	−1,530	−47·87
Harlow	4,426	2,304	−2,122	−47·94
Wokingham	1,970	1,025	−945	−47·97
Basildon	6,712	3,453	−3,259	−48·55
Sevenoaks	2,416	1,241	−1,175	−48·63
Banbury	3,263	1,668	−1,595	−48·88
Welwyn Hatfield	3,123	1,595	−1,528	−48·93
Windsor and Maidenhead	2,612	1,330	−1,282	−49·08
Woking	2,387	1,213	−1,174	−49·18
South West Hertfordshire	2,530	1,285	−1,245	−49·21
Southend West	3,590	1,823	−1,767	−49·22
Milton Keynes	6,750	3,423	−3,327	−49·29
North Hertfordshire	3,573	1,792	−1,781	−49·85
Oxford West and Abingdon	3,152	1,580	−1,572	−49·87
Billericay	3,882	1,941	−1,941	−50·00
Rochford	2,828	1,413	−1,415	−50·04
Chesham and Amersham	1,742	868	−874	−50·17
Esher	1,563	774	−789	−50·48

Parliamentary constituency	Unemployed claimant			
	August 1984	August 1988	Change	Percentage change
Mid Kent	4,837	2,391	−2,446	−50·57
Tonbridge and Malling	2,678	1,318	−1,360	−50·78
Maidstone	3,525	1,731	−1,794	−50·89
East Surrey	1,625	791	−834	−51·32
Reading East	3,923	1,908	−2,015	−51·36
Chichester	2,278	1,107	−1,171	−51·40
Crawley	2,485	1,207	−1,278	−51·43
South West Surrey	1,661	804	−857	−51·60
Braintree	3,283	1,583	−1,700	−51·78
Brentwood and Ongar	2,438	1,175	−1,263	−51·80
Spelthorne	2,328	1,121	−1,207	−51·85
Guildford	2,097	1,008	−1,089	−51·93
Medway	5,264	2,517	−2,747	−52·18
South West Bedfordshire	3,766	1,795	−1,971	−52·34
Wealdon	1,907	908	−999	−52·39
Castle Point	3,430	1,630	−1,800	−52·48
Newbury	2,650	1,257	−1,393	−52·57
Mid Sussex	1,991	941	−1,050	−52·74
Gillingham	5,479	2,568	−2,911	−53·13
Saffron Walden	2,382	1,116	−1,266	−53·15
Stevenage	4,059	1,896	−2,163	−53·29
West Hertfordshire	3,594	1,670	−1,924	−53·53
Mole Valley	1,726	796	−930	−53·88
Chertsey and Walton	2,099	963	−1,136	−54·12
Reigate	2,023	927	−1,096	−54·18
Aylesbury	2,741	1,248	−1,493	−54·47
North West Surrey	2,356	1,058	−1,298	−55·09
Reading West	3,334	1,496	−1,838	−55·13
North West Hampshire	2,361	1,046	−1,315	−55·70
Witney	2,646	1,126	−1,520	−57·45
Tunbridge Wells	2,519	1,069	−1,450	−57·56
Basingstoke	3,250	1,369	−1,881	−57·88
Corby	5,914	2,444	−3,470	−58·67
Henley	2,020	819	−1,201	−59·46
Horsham	2,180	881	−1,299	−59·59
Wantage	2,391	949	−1,442	−60·31

Mr. Fry: To ask the Secretary of State for Employment if he will give current figures for the number of unemployed persons aged between 50 and 59 years old inclusive; *(a)* in absolute figures and *(b)* as percentage of the total of that age group; and if he will break this figure down by length of unemployment of: (i) six to 12 months, (ii) 12 to 18 months, (iii) 18 to 24 months, (iv) 24 to 36 months, (v) 36 months to 48 months, (vi) 48 to 60 months, and (vii) over five years.

Mr. Lee: The table shows the number of unemployed claimants aged between 50 and 59 years inclusive, in the United Kingdom in July 1988, the latest available date, for the durations requested.

An unemployment rate expressed as a percentage of the work force aged 50 to 59 inclusive is not readily available, but I will write to the hon. Member as soon as possible with the information. The latest published unemployment rates for July 1988 for the closest age groups were 6·9 per cent. of the work force among those aged 45 to 54 inclusive, and 11·7 per cent. among those aged 55 to 59.

Number of unemployed claimants aged 50-59 years inclusive by duration

Duration	Unemployed Claimants
6-12 months	54,323
12-18 months	35,615
18-24 months	30,054
24-36 months	50,659
36-48 months	38,106
48-60 months	32,604
60 months and over	95,199
All durations	336,560

Unemployment Benefit

Mr. Gordon Brown: To ask the Secretary of State for Employment how many people claimed unemployment benefit; and what number and proportion had been on unemployment benefit for over six months in each year since 1979.

Mr. Lee: The following information is available in the Library. Table A shows the numbers of registrants at jobcentres unemployed for six months or more expressed as a percentage of all registrants as well as in absolute figures for July of each year from 1979 to 1982.

Table B shows the number of claimants at unemployment benefit offices unemployed for six months or more expressed as a percentage of all claimants for July of each year from 1983 to 1988.

Table A

Registrants unemployed for 6 months or more in Great Britain

	Number	Percentage of all registrants
July 1979	552,098	39·7
July 1980	618,928	34·2
July 1981	1,255,214	45·7
July 1982	1,674,456	54·5

Table B

Claimants unemployed for 6 months or more in Great Britain

	Number	Percentage of all claimants
July 1983	1,678,758	57·8
July 1984	1,784,984	59·9
July 1985	1,875,118	60·2

	Number	Percentage of all claimants
July 1986	1,890,171	60·0
July 1987	1,696,333	61·1
July 1988	1,301,241	58·9

Note: Totals include those claiming unemployment benefit, income support and national insurance credits at unemployment benefit offices.

School Leavers (Bradford)

Mr. Madden: To ask the Secretary of State for Employment how many young people aged 16 and 17 years who left school in Bradford in the summer have been told they are ineligible to claim unemployment benefit as from 12 September.

Mr. Cope: None. Unemployment benefit is a contributory benefit, entitlement to which was not affected by the changes which came into effect on 12 September.

Mr. Madden: To ask the Secretary of State for Employment how many young people, aged 16 and 17 years, left Bradford schools in the summer; what written and other information they were given about the YTS and obtaining employment; and what information was distributed through schools to parents about YTS employment opportunities and the need for parents to apply for extension of payment of child benefit to the end of December.

Mr. Cope: Local education authorities have a statutory duty to provide information, advice and guidance to young people in and leaving schools and colleges to help them find employment and training. Detailed local arrangements to fulfil this duty, and to collect information about client numbers, are matters for the appropriate local education authority. Information on the arrangements is not available centrally.

Information on the extension of child benefit for 16 and 17-year-old school leavers and the need for parents to apply for extended payment was sent direct to parents by the child benefit centre at Washington. The child benefit centre wrote to over 300,000 parents whose children were assumed to be leaving school in the summer.

Information (Languages)

Mr. Madden: To ask the Secretary of State for Employment in what languages information to pupils and parents, about YTS, jobs and child benefit, was distributed in Bradford upper schools prior to the end of the summer term.

Mr. Cope: Local education authorities have a statutory duty to provide information, advice and guidance to young people in and leaving schools and colleges to help them find employment and training. Detailed local arrangements to fulfil this duty and to promote equal opportunities are a matter for the appropriate local education authority. Information on the arrangements is not available centrally.

Information on the extension of child benefit for 16 and 17-year-old school leavers was contained in leaflet CH7 which is printed in English. In addition the child benefit centre at Washington wrote direct to over 300,000 parents whose children were assumed to be leaving school in the summer.

SOCIAL SECURITY

Disabled Children

Mr. Wigley: To ask the Secretary of State for Social Security what conclusions his Department has reached on improving the assistance for disabled children from the United Kingdom to visit the Peto Institute in Budapest following the recent visit there by the Minister for Social Security, the hon. Member for Chelsea (Mr. Scott); and if he will make a statement.

Mr. Scott: I refer the hon. Member to my reply to the hon. Member for Coventry, South-East (Mr. Nellist) on 19 October at columns *893-894*.

Benefits

Mr. Madden: To ask the Secretary of State for Social Security how many benefits are available from his Department; how many application forms and guidance notes are available; and how much of this material is available in Asian languages.

Mr. Peter Lloyd: There are 28 social security benefits available from the Department; and 26 major claim forms and supporting guidance notes. All application forms and guidance notes are in English only. Any member of the public who has difficulty in understanding the forms can seek help in making a claim from his local social security office.

By the end of this year it is hoped to publish a new translation of leaflet, FB22, entitled "Which Benefit", which gives details of all available social security benefits, in five main Asian languages, as well as Chinese and Turkish.

Housing Benefit

Mrs. Beckett: To ask the Secretary of State for Social Security what has been the estimated cost of administering housing benefit transitional payments, in pound sterling and as a percentage of the amount of payments made, up to the latest date for which information is available.

Mr. Robin Cook: To ask the Secretary of State for Social Security what is the estimated administrative cost per successful application for housing benefit transitional payments made by the Glasgow unit of his Department.

Mr. Peter Lloyd *[holding answers 27 October and 7 November 1988]:* Administrative expenditure on housing benefit transitional payments, excluding capital costs, totalled £3,802,991 up to 31 October. This cannot be sensibly expressed as a proportion of payments made as these vary from week to week and new payments include backdated awards to 1 April this year. A comparison between administration costs and benefit expenditure can sensibly be made only when the full year costs of both are known.

HEALTH

Child Abuse

Mr. Holt: To ask the Secretary of State for Health how many children were recorded as under protection orders, on a month-by-month basis, in Cleveland for each of the past 36 months, consequent upon diagnosis of sexual abuse.

Mr. Mellor: The Department does not collect figures in the form requested. The number of place of safety orders is collected annually and the return does not identify separately children removed to a place of safety because of sexual abuse. However in this particular case I have asked the county council to provide the detailed information. I will write to my hon. Friend when it has been received.

Nurses (Grading)

Mrs. Rosie Barnes: To ask the Secretary of State for Health when, with regard to the nurses' grading review, he will assess the additional costs of successful appeals; and if all successful appeals will be fully funded.

Mr. Mellor: The funds allocated to health authorities are intended to cover all pay costs arising in the current financial year, including any cases arising from successful appeals about pay or grading. No information is collected centrally on the cost of successful appeals.

Private Medicine

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the number of persons who have joined private medical organisations for 1979, 1984 and 1988, respectively.

Mr. Mellor: We understand from the providers that the total number of subscribers to private medical insurance in the United Kingdom was:

Year	Subscribers (millions)
1979	1·30
1984	3·28
[1]1987	2·54

[1] Latest available.

Data for 1979 are available only for the major insurers.

Nurses

Mr. Ralph Howell: To ask the Secretary of State for Health if he will list those persons who are described as employers in relation to the negotiations which are currently being held between employers and the National Health Service nurses.

Mr. Mellor: National Health Service employers are represented by the management side of the nursing and midwifery staff's negotiating council. The current membership of the management side is as follows:

Mr. N. B. J. Gurney *(Chairman)*—Under Secretary, Department of Health.
Mr. R. M. Orton—Assistant Secretary, Department of Health.
Mr. M. J. Hill—Nursing Officer, Department of Health.
Mr. D. M. Baxter—Assistant Secretary, Scottish Home and Health Department.
Mr. G. Padmore—Assistant Secretary, Welsh Office.
Mr. G. C. Elliot—Director of Finance, West Suffolk Health Authority.
Mr. W. S. Fyfe—Chairman, Ayrshire and Arran Health Board.
Mrs. F. Heidensohn—Member, North East Thames Regional Health Authority.
Mr. R. Mitchell—Member, Mid Glamorgan Health Authority.
Mr. F. Richards—Chairman, Stockport Health Authority.
Mr. J. Smith—General Manager, Hounslow and Spelthorne Health Authority.
Mr. P. Garland *(Secretary)*—Principal, Department of Health.

Myalgic Encephalomyelitis Association

Mr. Hood: To ask the Secretary of State for Health if he will give details on when the Myalgic Encephalomyelitis Association applied for section 64 funding from the DHSS; how much the association applied for; whether payment was in full or in part; and if he will make a statement on his Department's future plans to fund the Myalgic Encephalomyelitis Association from section 64 funding.

Mrs. Currie: The Myalgic Encephalomyelitis Association applied for section 64 funding of £63,000 on 9 September 1987; a grant of £5,000 was made for the 1988-89 financial year. The association has recently submitted a further grant application for subsequent years which we are now considering.

AIDS and Drug Misuse (Report)

Mr. Hind: To ask the Secretary of State for Health when he intends to respond in detail to the first report on AIDS and drug misuse by the Advisory Council on the Misuse of Drugs; and whether he will make a statement.

Mr. Mellor: Earlier this week I wrote to the chairman of the Advisory Council on the Misuse of Drugs to give the Government's detailed response to the council's first report on AIDS and drug misuse. I have arranged for copies of the response to be placed in the Library.

Benzodiazepines

Ms. Primarolo: To ask the Secretary of State for Health what funds are currently being made available to assist people in Great Britain and Northern Ireland to withdraw from benzodiazepines; and whether these funds will be increased in the future.

Mrs. Currie *[holding answer 4 November 1988]:* The provision and funding of services in England for those dependent on benzodiazepines is primarily the responsibility of health and local authorities. The Government have since 1986 allocated additional funds direct to regional health authorities specifically for the development of services for drug misusers. £5·47 million was allocated for this purpose in 1988-89. In addition, we set up the central funding initiative in 1983 to pump-prime local services for drug misusers. Under this scheme 188 local statutory and voluntary sector projects received a total of £17·5 million, of which £339,000 has been allocated to projects catering specifically for benzodiazepine dependants. In addition many of the remaining 184 projects also include a service for this client group.

Services in the rest of the United Kingdom are matters for my right hon. and learned Friend the Secretary of State for Scotland and for my right hon. Friends the Secretaries of State for Wales and Northern Ireland.

Ms. Primarolo: To ask the Secretary of State for Health whether he will consider banning the prescription of benzodiazepines to new patients.

Mrs. Currie *[holding answer 4 November 1988]:* There is no case for doing so at present. We have received the

advice of the Committee on Safety of Medicines that benzodiazepines are clinically useful if prescribed within their licensed indications such as short-term use for severe anxiety or severe insomnia and for pre-anaesthesia. It is the responsibility of individual doctors to decide on the best treatment for their patients. This will include deciding whether to prescribe a drug at all, to offer the patient a psychological form of treatment such as counselling or to refer the patient to a hospital consultant or other specialist help.

Ms. Primarolo: To ask the Secretary of State for Health what funds are currently being made available to assist people in the Bristol area to withdraw from benzodiazepines; what organisations are benefiting; and to what extent in each case.

Mrs. Currie *[holding answer 4 November 1988]:* South Western regional health authority is primarily responsible for services for those dependent on benzodiazepines in the Bristol area. The Government have allocated over £355,000 in 1988-89 to the region specifically for the development of drug misuse services, including services for those dependent on benzodiazepines. For further information the hon. Member may like to consult the South Western regional health authority. In addition, under the central funding initiative set up to pump-prime local drug misuse services, we have allocated £226,070 over a three-year period beginning 1985-86 to the Bristol drugs project, which also provides services for those dependent on benzodiazepines.

AWRE, Aldermaston

Mr. Cohen: To ask the Secretary of State for Health whether local hospitals and ambulance services are involved in contingency plans in case of accident at the atomic weapons research establishment, Aldermaston.

Mr. Archie Hamilton: I have been asked to reply.

The atomic weapons establishment at Aldermaston maintains close liaison with local authorities, the police, fire and other emergency services. This includes arrangements for the use of local and service hospitals.

Mr. Cohen: To ask the Secretary of State for Health how long after the alarm system at the atomic weapons research establishment, Aldermaston, had indicated an emergency situation on 28 October the local hospitals and ambulance services were informed; and if he will make a statement.

Mr. Archie Hamilton: I have been asked to reply.

I refer the hon. Member to the answer given to the hon. Member for Lewisham, Deptford (Ms. Ruddock) on 3 November, at column 740.

HOUSE OF COMMONS

Select Committees

Mr. Frank Field: To ask the Lord President of the Council if he will publish the guidelines governing the payment of fares for Opposition spokesmen and women and Select Committee chairmen who attend meetings on the subjects for which they have special responsibility.

Mr. Waldegrave: The guidelines governing the payment of fares by the House to Opposition spokesmen and women are the same as those for all right hon. and hon. Members. These guidelines are set out in the Fees Office publication "Parliamentary Salaries, Allowances and Pensions," copies of which have already been placed in the Library and issued to right hon. and hon. Members, on an individual basis, for retention. In so far as the purposes of journeys made by Opposition spokesmen and women fall within the terms of the appropriate resolution of the House, the cost to the party concerned may be reimbursed under the scheme for financial assistance to Opposition parties ("Short money").

In accordance with the aforementioned guidelines, Select Committee Chairmen may, with the authorisation of their Committee, undertake visits within the United Kingdom for purposes related wholly and necessarily to the work of the Select Committee at public expense. Additionally, Select Committee Chairmen may also travel overseas on official visits, subject to prior approval by the Liaison Committee. The criteria by which the Liaison Committee judges applications for such expenditure are the responsibility of that Committee. However, in accordance with the guidelines laid down by the House of Commons Commission, Members travelling outside Europe use club class air fares only, whilst those travelling within Europe use club or economy class, as appropriate.

Written Answers to Questions

Wednesday 9 November 1988

DEFENCE

Pupils (Boarding Fees)

Mr. Grocott: To ask the Secretary of State for Defence how many pupils had their fees paid under Her Majesty's forces boarding school allowance scheme in each of the last 10 years.

Mr. Freeman: Consistent and reliable information on numbers of children for whom boarding school allowance has been paid is only readily available since 1983-84. The information requested since then is:

	Children for whom boarding school allowance has been claimed
1983-84	20,871
1984-85	21,043
1985-86	21,092
1986-87	21,286
1987-88	21,582

Mr. Grocott: To ask the Secretary of State for Defence what was the cost of Her Majesty's forces boarding school allowance scheme in each of the last 10 years.

Mr. Freeman: Consistent and reliable information on the cost of the forces boarding school allowance scheme is only readily available since 1983-84. The costs for each year since then are:

	£ million
1983-84	72·651
1984-85	77·878
1985-86	85·007
1986-87	93·601
1987-88	106·588

US Air Force Medical Storage Facility

Mr. Cohen: To ask the Secretary of State for Defence why the proposed United States air force medical storage facility that was to be built at RAF Wethersfield is now proposed to be built at Boscombe Down.

Mr. Freeman: Planning clearance for the proposed medical storage facility at Ridgewell, near RAF Wethersfield was refused by the local planning authority.

Recruiting

Mr. Menzies Campbell: To ask the Secretary of State for Defence what measures he intends to take to encourage recruiting in the Army.

Mr. Freeman: Recruiting to the Army is becoming more difficult as a result of demographic trends. A range of additional measures are therefore being considered to increase public awareness of the career opportunities which the Army has to offer.

Officers

Mr. Menzies Campbell: To ask the Secretary of State for Defence what measures he intends to take to help to retain married officers and non-commissioned officers in the Army.

Mr. Freeman: The changes to servicemen's allowances announced earlier this year were designed to ensure that they would be up to date, and appropriate to the requirements of modern service life, to support accompanied service and compensate for family mobility. Retention rates are kept continuously under review, and we are examining a variety of ways in which they might be improved further.

Ethnic Monitoring

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will now consider introducing ethnic monitoring into all regiments of the British Army.

Mr. Freeman: No. I refer the hon. Member to my right hon. Friend's evidence to the Defence Committee as set out in the Committee's report (HC 391) published on 25 April and to the Government's response to the report published on 6 July (HC 584).

EH101 Helicopters

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will report on progress made by his Department in defining requirements for the EH101 helicopters which he announced he intended to order in April 1987.

Mr. Sainsbury: My right hon. Friend, the Secretary of State for Defence, announced to the House last year the MOD's intention to order, subject to the satisfactory resolution of contractual and other issues, a utility variant of the Anglo/Italian EH101 helicopter for the RAF to meet the requirement for additional support helicopters in the central region.

Following that announcement, work was set in hand to define more precisely the RAF performance requirements. This work has been carried out in close consultation with EH Industries Limited, the main contractor for the EH101 project, and its parent companies, Westland and Agusta. We will now start the formal project definition stage which will examine in detail the RAF's foreseen requirement against a range of options and establish more firmly the costs and risks involved.

NATO (Weapons Deployment)

Dr. Thomas: To ask the Secretary of State for Defence if he will make a statement on representations made by the Belgian Defence Minister on future North Atlantic Treaty Organisation deployments of nuclear weapons at the North Atlantic Treaty Organisation nuclear planning group meeting in Scheveningen on 27 October.

Mr. Archie Hamilton: At the nuclear planning group meeting on 27-28 October, Ministers reaffirmed the essential contribution made by nuclear weapons to

NATO's strategy of deterrence and underlined their determination to take those actions required to keep the Alliance's forces, nuclear and conventional, up to date where necessary. While no decisions were taken or required at the meeting, Ministers noted the progress being made and agreed to continue a step by step approach to the work in hand. A copy of the communiqué issued after the meeting, and agreed by all Ministers, has been placed in the Library of the House.

Chemical Weapons (Libya)

Dr. Thomas: To ask the Secretary of State for Defence what information he possesses on the construction of a chemical weapons production facility by Libya.

Mr. Archie Hamilton: It is not the policy of the Government to comment on such information.

Soviet Union

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether there have been any significant changes in the military capability of the Soviet Union over the past two years.

Mr. Archie Hamilton: An assessment of the significant changes in Soviet military capability was published in annex A of volume 1 of the "Statement on the Defence Estimates 1987" (Cm. 101-I) and chapter 6 of volume 1 of the "Statement on the Defence Estimates 1988" (Cm. 344-I).

Nuclear Testing

Mr. Madden: To ask the Secretary of State for Defence whether he has discussed with his North Atlantic Treaty Organisation colleagues any new proposals to limit nuclear testing.

Mr. Archie Hamilton: The United States and the Soviet Union are currently engaged in talks and joint verification experiments with the aim of ratifying the threshold test ban treaty and the peaceful nuclear explosions treaty. United Kingdom and NATO Ministers have been kept informed of the current state of negotiations.

HOME DEPARTMENT

Birth and Marriage Certificates (Passport Applications)

Mrs. Margaret Ewing: To ask the Secretary of State for the Home Department on how many occasions in each of the past five years passport department officers have had to make applications for duplicated *(a)* birth and *(b)* marriage certificates as a result of these being lost (i) within the departmental offices or (ii) in the post.

Mr. Renton: I regret that the information requested is not available. In the comparatively rare instances when personal documents submitted in support of passport applications go astray within the passport offices, or are subsequently lost in the post, replacements are provided at no cost to the applicant.

ENVIRONMENT

Mineral and Coal Extraction

Mr. Ashby: To ask the Secretary of State for the Environment what tonnage rate was paid by operators in *(a)* Leicestershire and *(b)* Leicestershire, North-West, for each year since 1983 in respect of (i) mineral extraction, including clay, and (ii) coal extraction.

Mrs. Virginia Bottomley: The royalty per tonne of mineral extracted used in the calculation of the rateable value of mineral hereditaments varies according to the type of mineral and the conditions under which it is extracted. The average royalty in Leicestershire for all years since 1983 has been 25p per tonne for coal (excluding extraction by the British Coal Corporation) and 7·89p per tonne for other minerals, including clay. In all cases the royalty is reduced by 50 per cent. under the provisions of the Mines and Quarries (Valuation) Order 1983 to arrive at the rateable value of the hereditament.

The rateable value of British Coal Corporation hereditaments is assessed by a statutory formula which is not directly royalty based.

Football (Arrests)

Mr. John Marshall: To ask the Secretary of State for the Environment what information he has as to how many matches took place in each of the first, second, third and fourth divisions of the Football League in the 1987-88 season; and at how many of these, by division, individuals were arrested.

Mr. Moynihan: The number of matches which took place in the Football League during the 1987-88 season and the number of arrests were as follows:

	Matches played	*Arrests*
Division 1	420	2,216
Division 2	506	2,136
Division 3	552	866
Division 4	552	929

Arrests figures for individual matches are not held centrally.

Waste Disposal

Mr. Pike: To ask the Secretary of State for the Environment if he will publish in the *Official Report* those waste disposal authorities whose performance is considered poor by Her Majesty's inspectorate of pollution, in the disposal of hazardous and toxic waste.

Mrs. Virginia Bottomley: In response to a request from the Select Committee on the Environment Her Majesty's inspectorate of pollution is considering whether it has adequate information to justify publishing a classification of the performance of named waste disposal authorities.

Mr. Hardy: To ask the Secretary of State for the Environment if he will list the occasions when waste disposal authorities permitted the disposal of poly-chlorinated materials other than by high temperature incineration during each of the last five years.

Mrs. Virginia Bottomley: This information is not collected centrally and could be provided only at disproportionate cost.

However, Her Majesty's inspectorate of pollution is unaware of any authorities permitting the disposal, by methods other than high temperature incineration, of material significantly contaminated with polychlorinated organic compounds.

Planning

Mr. Adley: To ask the Secretary of State for the Environment if, following the judgment of Lord Justice Kerr in R. *v.* Westminster City Council ex parte Monahan and another on the role of financial constraints on the economic viability of a desirable planning development in determining planning applications, he has any plans to introduce legislation to amend planning law in this respect.

Mr. Chope: No.

Housing

Mr. David Nicholson: To ask the Secretary of State for the Environment how many former Greater London council homes, recently transferred to North British housing association, there are in *(a)* Somerset and *(b)* the south-west.

Mr. Trippier: There are 692 homes in the south-west owned by the North British Housing Association, of which 198 are in Somerset.

Mr. David Nicholson: To ask the Secretary of State for the Environment how many tenants of formerly Greater London council-owned homes outside the former Greater London council area have acquired their homes through the right-to-buy legislation; and how many of these were in *(a)* Somerset and *(b)* the south-west.

Mr. Trippier: A total of 99 sales of the seaside and country dwellings have been completed under the right-to-buy legislation. Figures by county are not immediately available for the 97 sales completed during the period when the GLC and LRB owned the portfolio. Of the two sales completed by the North British Housing Association, and the 28 applications it is progressing, none are in the south-west.

Mr. David Nicholson: To ask the Secretary of State for the Environment how many representations he has received from tenants with special needs living in formerly Greater London council-owned properties outside the former Greater London council area; and what steps are taken to ensure that the interests of such tenants are protected.

Mr. Trippier: No specific representations regarding special needs have been received from tenants of the former GLC seaside and country dwellings. Periodically, the North British Housing Association receives requests from tenants for special adaptations. These are considered by the association in consultation with the local social services department and the occupational therapist to determine the appropriate action.

Mr. Pike: To ask the Secretary of State for the Environment if he will list in the *Official Report* those local authorities which have over 24 per cent. of their total housing stock indicated in form HIP1 as being non sub-standard dwellings in need of renovation; and if he will give the percentage in each case.

Mr. Trippier *[holding answer 8 November 1988]:* The following 50 English housing authorities have reported in their 1988 housing investment programme returns that 24 per cent. or more of the total housing stock in their area at 1 April 1988 was non-substandard but in need of renovation.

	Percentage
Allerdale	24·4
Barking and Dagenham	24·5
Barrow-in-Furness	32·3
Birmingham	28·9
Blackburn	26·2
Bolton	33·8
Boston	25·2
Bournemouth	45·8
Brent	32·5
Burnley	24·4
Cleethorpes	29·5
Derwentside	30·0
Ealing	[1]31·9
East Lindsey	24·2
Gateshead	34·6
Greenwich	28·2
Haringey	30·6
Hartlepool	29·1
Hounslow	25·9
Hyndburn	[1]25·3
Ipswich	25·3
Kingston upon Hull	28·0
Lambeth	46·9
Langbaurgh-on-Tees	[1]27·7
Leeds	36·5
Leicester	[1]28·1
Newcastle upon Tyne	24·7
Newham	28·0
North Tyneside	43·7
Oswestry	[1]37·8
Oxford	24·3
Pendle	39·2
Peterborough	24·9
Preston	33·4
Reading	25·6
Rochdale	36·6
Rossendale	54·0
Rushcliffe	50·7
Scunthorpe	29·0
Sedgefield	47·6
Sheffield	49·7
Shrewsbury and Atcham	34·3
St. Helens	[1]34·7
Stoke-on-Trent	44·3
Sunderland	26·9
Tameside	36·1
Torridge	[1]29·2
Tower Hamlets	[1]34·2
Waltham Forest	28·5
West Lindsey	24·9

[1] Denotes an incomplete estimate.
Note: 107 authorities have not provided relevant estimates.

Mr. Pike: To ask the Secretary of State for the Environment if he will list in the *Official Report* those local authorities in England whose total of housing classified as unfit together with those classified as fit but lacking in

basic amenities is over 6 per cent. of their total housing stock as recorded on form HIP 1; and if he will give the percentage in each case.

Mr. Trippier *[holding answer 8 November 1988]:* The following 77 English housing authorities have reported in their 1988 housing investment programme returns that 6 per cent. or more of the total housing stock in their area at 1 April 1988 was either unfit, or fit but lacking in basic amenities:

	Percentage
Allerdale	9·3
Babergh	6·8
Barking and Dagenham	15·7
Barnsley	9·3
Bath	[1]8·5
Birmingham	11·4
Blackburn	14·7
Bolsover	[1]6·7
Bolton	11·2
Brighton	8·3
Bristol	8·7
Burnley	6·6
Camden	9·7
Carradon	14·3
Carlisle	8·8
Carrick	8·9
Chorley	10·3
Cleethorpes	10·0
Dudley	[1]6·7
Durham	7·9
East Staffordshire	8·8
Forest of Dean	[1]11·3
Great Grimsby	9·5
Great Yarmouth	6·3
Hackney	11·5
Hammersmith and Fulham	[1]13·5
Haringey	7·6
Hastings	8·4
Hyndburn	17·9
Ipswich	6·7
Islington	7·1
Kennet	8·2
Kensington and Chelsea	[1]12·3
Kerrier	6·7
Kingston upon Hull	8·7
Lambeth	8·3
Leeds	11·3
Leicester	[1]9·2
Macclesfield	6·2
Malvern Hills	11·1
Manchester	[1]6·7
Mendip	12·6
Mid Suffolk	6·9
Newcastle upon Tyne	6·5
Newham	27·3
Oswestry	8·5
Oxford	6·4
Pendle	10·7
Penwith	9·6
Preston	8·2
Reading	8·7
Restormel	6·5
Richmond upon Thames	11·4
Rossendale	7·1
Rugby	[1]13·3
Salford	7·2
Sandwell	[1]12·6
South Herefordshire	13·9
South Holland	8·7
Southwark	20·4
St. Helens	14·5
Staffordshire Moorland	13·0
Stoke-on-Trent	13·7
Tameside	11·7
Taunton Deane	6·7
Teignbridge	[1]7·7
Thurrock	9·4
Torridge	[1]10·3
Tower Hamlets	6·8
Trafford	10·9
Walsall	7·6
Waltham Forest	9·6
Wandsworth	[1]14·7
West Devon	[1]9·0
Westminster	8·1
Wolverhampton	12·7
Wyre Forest	6·6

Note:
[1] Denotes an incomplete estimate.
89 authorities have not provided relevant estimates.

Valuation Panels

Dr. Cunningham: To ask the Secretary of State for the Environment if the management consultants' study referred to in "Appeals and Valuation and Community Charge Tribunals," published by his Department in November 1987, into the increased work load and staffing of local valuation panels and valuation and community charge tribunals has now been produced.

Mr. Ridley: Yes. A summary of the consultants' recommendations and the Government's proposals for action on them was placed in the Library of the House on 15 April 1988.

Football Supporters (National Membership Scheme)

Mr. John Carlisle: To ask the Secretary of State for the Environment when the report of the Minister for Sport's working party on the national membership scheme for football supporters will be published.

Mr. Moynihan: The report of the working party on a national membership scheme for football supporters, which I chaired, is published today. The working party was set up following the meeting on 6 July between the Prime Minister and the president of the Football League and the chairman of the Football Association, to review the main principles of a national membership scheme for football. The working party included representatives of the Government, the police and the football authorities. All the members of the working party have co-operated in preparing this report and it has been agreed between them. I pay full tribute to the co-operative approach which the football representatives on the working party have adopted throughout many hours of discussions.

The report addresses the specific issue of when the scheme should be implemented. It refers to the work that has to be done on the technology of the scheme and its installation at 92 league clubs. Our target will be to achieve

implementation throughout the Football League by spring 1990—subject to Parliament's approval of our legislative proposals and the installation of appropriate technology.

There were 6,147 arrests at Football League matches last season and violent incidents have continued this season, both inside and outside grounds. They cannot be allowed to continue. The national membership scheme offers the prospect of breaking the link, of ending the role of football as a focus for hooliganism and violence.

Copies of the report are being placed in the Library today.

Radioactive Waste Disposal

Dr. Cunningham: To ask the Secretary of State for the Environment when Her Majesty's Inspectorate of Pollution expects to complete the review of approvals for the Ministry of Defence establishments at Aldermaston and Burghfield to dispose of radioactive wastes.

Mr. Ridley *[holding answer 2 November 1988]:* The review of the approvals for Aldermaston and Burghfield is expected to be completed by July 1989.

WALES

National Curriculum

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he is in a position to publish the interim report of the national curriculum Welsh working group.

Mr. Peter Walker: I received copies of the interim report recently and have published it today. Copies have been placed in the Library of the House.

ATTORNEY-GENERAL

Ian Fraser (JMB)

Mr. Sedgemore: To ask the Attorney-General if he will make a statement on the decision not to prosecute Ian Fraser, the former loan manager of Johnson Matthey bank.

The Attorney-General: On 7 September 1988 the Solicitor-General, concurring with the advice of the director of the serious fraud office and leading counsel, decided that there was insufficient evidence to justify the institution of criminal proceedings against Ian Fraser for alleged offences of corruption arising out of his employment with Johnson Matthey Bankers Limited.

EDUCATION AND SCIENCE

Truancy

Mr. Pawsey: To ask the Secretary of State for Education and Science if he will set out in the *Official Report* the truancy rates for each local education authority for each of the past five years.

Mr. Butcher: This information is not available centrally. Under the Education Acts, the responsibility for taking action on truancy rests with local education authorities. They are not required to submit information about truancy to my right hon. Friend, but they should ensure that attendance levels in their schools are monitored and that action is taken to keep them under control.

Language Teaching

Ms. Armstrong: To ask the Secretary of State for Education and Science what plans he has, following his recent visit to the Soviet Union, concerning the teaching of Russian in particular and modern languages in general in secondary schools.

Mrs. Rumbold: The Government's policy on modern foreign languages in the school curriculum was set out in the January 1988 policy statement, a copy of which I am sending to the hon. Member. The national curriculum will include a modern foreign language as a foundation subject at secondary level to be studied by each pupil between the ages of 11 and 16. Within this framework, my right hon. Friend is encouraging a greater diversity of languages offered in the school curriculum, and would like to see Russian taught more widely among them.

Geological Surveying

Sir Trevor Skeet: To ask the Secretary of State for Education and Science (1) whether he has any further statement to make pursuant to his answer to the hon. Member for Rutland and Melton (Mr. Latham) on 28 January, *Official Report*, column *310*, relating to geological surveying;

(2) whether he intends to implement the main recommendations of the Sir Clifford Butler report on geological surveying;

(3) whether the British Geological Survey is to receive corporate status independently of the Natural Environment Research Council.

Mr. Jackson: I refer my hon. Friend to my right hon. Friend's reply to my hon. Friend the Member for Rutland and Melton (Mr. Latham) on Monday 7 November at columns *2-3*.

Science (Funding)

Sir Trevor Skeet: To ask the Secretary of State for Education and Science when he expects the advisory board for the research councils to allocate the additional funds for British science referred to recently by the Chancellor of the Exchequer in his Autumn Statement, *Official Report*, 1 November, column 825.

Mr. Jackson: My right hon. Friend the Secretary of State expects to receive the advice of the advisory board for the research councils (ABRC) on the allocation of the additional funds for science early next month. He will announce his decision on allocations as soon as possible thereafter.

AIDS

Sir Trevor Skeet: To ask the Secretary of State for Education and Science how much of the total funds allocated to the Medical Research Council for research is scheduled for AIDS research.

Mr. Jackson: In the current financial year, £7·7 million.

Schools (Discipline)

Ms. Armstrong: To ask the Secretary of State for Education and Science when he now expects the findings of the Elton committee on discipline in schools to be published.

Mr. Butcher: Early next year.

Students (Covenants)

Mr. David Nicholson: To ask the Secretary of State for Education and Science what is his estimate of the number of students following the Finance Act 1988 *(a)* for whom it is impracticable to continue payments under an existing covenant or *(b)* who are unable to covenant the full amount of their new contribution, and who are unable to benefit from the new parental contribution scale; and whether he has any proposals to tackle this situation.

Mr. Jackson: We do not have estimates of the number of students in either category. There are no plans to revise the arrangements whereby parental contributions to the maintenance of students beginning their courses in the current academic year are assessed in accordance with a reduced scale.

ERA Bulletin

Mr. Fatchett: To ask the Secretary of State for Education and Science how many copies of the new Department of Education and Science factual news bulletin "ERA" have been distributed to maintained schools in the United Kingdom; and at what cost.

Mrs. Rumbold: A total of 750,000 copies of the factual news bulletin "ERA" have been distributed to maintained schools in England. Each primary and special school received 20 copies and each secondary school 60 copies. The total cost of producing and distributing the bulletin was £56,000 of which £31,000 was for distribution and postage.

Mr. Fatchett: To ask the Secretary of State for Education and Science whether additional funding has been provided to finance the costs of the "ERA" bulletin currently being sent to schools in the United Kingdom; and whether he will make a statement.

Mrs. Rumbold: The costs of the factual news bulletin "ERA" are being accommodated within the Department's existing financial provision for publicity.

Mr. Fatchett: To ask the Secretary of State for Education and Science whether it is intended that the information contained in the Department of Education and Science factual bulletin "ERA" can be taken as an authentic legal definition of the terms of the Education Reform Act covered in the factual content of that bulletin.

Mrs. Rumbold: The Department of Education and Science factual bulletin "ERA" is intended to keep school teachers and governors informed about the changes to be implemented in schools following the Education Reform Act. It is concerned with the practical implementation of provisions of the Education Reform Act and does not set out to provide a legal definition of the terms of that Act. Only the courts can provide authoritative legal interpretation of an enactment.

Admissions Classes

Mr. Simon Hughes: To ask the Secretary of State for Education and Science (1) what information is available to his Department regarding the number of children below the statutory age of education likely to be present in the admissions classes of maintained primary schools in September 1989; and if he will make a statement;

(2) what information is available to his Department regarding the number and proportion of admissions classes in maintained primary schools that contained one or more children below the statutory age of education in September 1987, or the last year for which records are available; and if he will make a statement.

Mr. Butcher: This information is not currently available.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science if he will make a statement regarding the proposed implementation of national curriculum programmes of study in the admissions classes of primary schools in September 1989, and the proposed treatment of children below the statutory age of education.

Mrs. Rumbold: The requirement to teach all foundation subjects for a reasonable time will apply to all children as they reach compulsory school age. However, my right hon. Friend intends to make transitional arrangements for the school year 1989-90 to assist the introduction of the national curriculum's attainment targets and programmes of study in primary schools. Those in place at the beginning of that year will apply to all pupils who have reached statutory school age by the start of the autumn term 1989. For pupils reaching statutory school age during 1989-90, however, attainment targets and programmes of study will not apply until the following year.

Further information about these arrangements is given in paragraph 35 in the Department's draft circular "The Education Reform Act 1988: The School Curriculum and Assessment", published on 17 October 1988, a copy of which has been placed in the Library.

Science Budget

Dr. Bray: To ask the Secretary of State for Education and Science (1) how much of the increase of £95 million in the science budget in 1989-90 announced on 1 November, *Official Report*, column *605*, is accounted for by those increases in earmarked programmes on the British Geological Survey, AIDS, the British Antarctic Survey and CERN, referred to by the Advisory Board for the Research Councils in its advice to him on 12 May as being decided by Government taking into account broader considerations than those of purely scientific priorities;

(2) what is the real increase in the planned expenditure in 1989-90 on the science budget over that previously planned for 1989-90 after allowing for the higher than previously assumed level of the gross domestic product deflator, and after excluding the £47 million increase in the earmarked programmes in the British Geological Survey, AIDS, the British Antarctic Survey and CERN, referred to in the Advisory Board for the Research Councils advice to him on 12 May as being decided by Government taking into account broader considerations than those of purely scientific priorities;

(3) how much of the increase of £95 million in the science budget, in 1989-90, announced on 1 November,

Official Report, column 605, is accounted for by the effect of the higher than assumed increase in prices on the provision of £730 million made in 1987.

Mr. Jackson: In respect of the British Geological Survey I refer the hon. Member to the reply of my right hon. Friend to my hon. Friend the Member for Rutland and Melton (Mr. Latham) on 7 November at columns *2-3*. In respect of the British Antarctic Survey, I refer the hon. Member to the reply of my right hon. Friend to my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) on Tuesday 8 November. My right hon. Friend expects to make a statement on the AIDS programme shortly. The Government has yet to take a decision on the United Kingdom's future membership of CERN.

The Government's public expenditure plans are cash plans. The central presumption of cash planning is that cash plans will not be altered to accommodate changes in relative prices or prices generally. The cash provision for the science budget in 1988-89 is £708 million, including the £9 million addition for equipment announced by my right hon. Friend on 1 November. Cash provision planned for 1989-90 is £825 million. That is a cash increase of 16 per cent., or 11 per cent. in real terms.

CERN

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science if he will now announce the Government's intentions regarding the United Kingdom's future membership of CERN.

Mr. Kenneth Baker: Following concern within the United Kingdom about the membership cost of CERN and its perceived organisational shortcomings, the United Kingdom took the lead in promoting a review of CERN's management led by Professor Abragam. Since that report was completed, the United Kingdom has worked actively with other member countries and the CERN management to carry forward to implementation the many changes and improvements recommended in the report.

In a statement to the CERN council last June, my hon. Friend the Parliamentary Under-Secretary of State for Education and Science noted the continuing scientific excellence of CERN; welcomed the council's decision to streamline its staff complement through a new early departure scheme; and particularly welcomed the development of new contribution arrangements that would spread the cost of CERN more equitably among participating member countries. However, the council has yet to reach agreement on when these new and fairer arrangements should commence. Resolving this is a matter to which the United Kingdom attaches priority and, in the circumstances, no decision will be announced on the United Kingdom's longer-term intentions for membership until further progress has been achieved. It is, however, expected that a further statement will be made before the end of 1988.

Under-fives

Ms. Harman: To ask the Secretary of State for Education and Science if he will publish in the *Official Report* the figures for the number of pre-school places per 1,000 of the under-five population in education authorities grouped by political control on the classification used in his reply to the hon. Member for Livingston (Mr. Cook) on 8 July 1986, *Official Report*, column *149*.

Mr. Butcher *[holding answer 3 November 1988]:* Information on pre-school places is not collected centrally. The number of pupils under five in maintained nursery and primary schools per 1,000 of the estimated three and four-year-old population in each local education authority in England in January 1988 is given in the table. The political grouping is the same as that given in the reply of my hon. Friend the Member for Dartford (Mr. Dunn) on 8 July 1986 at columns *149-52*.

Number of pre-school children per 1,000 of the population aged three and four at January 1988

	Number
CONSERVATIVE BETWEEN JUNE 1979 AND JUNE 1985	
Greater London	
Barnet	541
Bexley	264
Bromley	162
Croydon	353
Ealing	609
Enfield	510
Harrow	437
Havering	365
Hillingdon	498
Kingston upon Thames	541
Merton	587
Redbridge	243
Sutton	204
West Midlands	
Solihull	630
Merseyside	
Sefton	607
Wirral	501
Greater Manchester	
Bury	554
Trafford	218
Non Metropolitan Counties	
Buckinghamshire	177
Dorset	350
East Sussex	370
Hereford & Worcester	157
Kent	117
Lincolnshire	276
Norfolk	302
Suffolk	285
Surrey	232
West Sussex	82
LABOUR BETWEEN JUNE 1979 AND JUNE 1985	
Greater London	
Barking	629
Haringey	680
Hounslow	692
Newham	593
West Midlands	
Coventry	551
Sandwell	790
Wolverhampton	722
Merseyside	
Knowsley	693
St. Helens	621
Greater Manchester	
Manchester	747
Salford	856
Tameside	750
Wigan	589

	Number
South Yorkshire	
Barnsley	669
Doncaster	737
Rotherham	565
Sheffield	616
West Yorkshire	
Wakefield	696
Tyne and Wear	
Gateshead	649
Newcastle upon Tyne	697
North Tyneside	837
South Tyneside	827
Sunderland	675
ILEA	510
Non-metropolitan counties	
Durham	678
OTHER AUTHORITIES	
Greater London	
Brent	592
Richmond upon Thames	445
Waltham Forest	526
West Midlands	
Birmingham	651
Dudley	470
Walsall	911
Merseyside	
Liverpool	830
Greater Manchester	
Bolton	683
Oldham	652
Rochdale	624
Stockport	449
West Yorkshire	
Bradford	549
Calderdale	612
Kirklees	587
Leeds	560
Non-Metropolitan Counties	
Avon	460
Bedfordshire	352
Berkshire	256
Cambridgeshire	412
Cheshire	528
Cleveland	730
Cornwall	441
Cumbria	544
Derbyshire	532
Devon	256
Essex	205
Gloucestershire	314
Hampshire	201
Hertfordshire	473
Humberside	528
Isle of Wight	398
Lancashire	483
Leicestershire	361
North Yorkshire	435
Northamptonshire	505
Northumberland	551
Nottinghamshire	545
Oxfordshire	164
Shropshire	333
Somerset	329
Staffordshire	440
Warwickshire	502
Wiltshire	182

AGRICULTURE, FISHERIES AND FOOD

Pesticides

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food if he will list the maximum level of residue content from pesticides in each vegetable that is permitted by his Department to be sold for consumption; and what are the levels permitted by all other European Community countries.

Mr. Ryder: Maximum residue levels for 53 pesticides in the more important vegetables in the United Kingdom diet were laid down in schedule 2 of the Pesticides (Maximum Residue Levels in Food) Regulations 1988, approved by Parliament in July. The MRLs will come into force on 31 December 1988.

There is an EC directive (76/895 and amendments:) listing MRLs for fruit and vegetables. Member states must accept produce which complies with these MRLs but are free either to set higher limits or to set no limits at all. There is therefore a wide variety of MRLs across Community member states which are subject to frequent change. We are not aware of any complete and up to date list. The EC Commission will shortly propose a further fruit and vegetable directive and MRLs listed in that directive may, once adopted be mandatory throughout the Community.

Silo Effluent (Pollution)

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the reduction of pollution from silo effluent; and what his Department is doing to minimise such pollution.

Mr. Ryder: My Department is very concerned about the number of farm pollution incidents and is taking steps to curb them. We are giving free general advice on pollution avoidance. High rates of grant are available for silage effluent facilities and our expenditure on these grants has increased sharply. We are assisting in the preparation of regulations to cover the construction of new silage facilities. I have emphasised on several occasions the need for realistic fines for those found guilty of causing farm pollution.

Research Establishments

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food if he will list each agricultural research establishment and give details of the type of research at each establishment.

Mr. Ryder: My own Department carries out research and development at a number of establishments within the agricultural development and advisory service (ADAS). The work which is relevant to the industries in England and Wales is concerned with practical aspects of farming and growing, including their interaction with the environment and their effect on animal welfare. A good deal of the programme is now concerned with the development of alternative crops and enterprises to meet emerging requirements. The main ADAS research establishments and experimental centres are shown in the list.

The Agricultural and Food Research Council has eight institutes, seven of which are concerned with agriculture.

Details of these and the research that they carry out are given in the council's annual report. agricultural research is also carried out at commercial establishments and by universities and colleges.

Adas Experimental Centres

Arthur Rickwood Experimental Husbandry Farm, Mepal, Ely, Cambridgeshire, CB6 2BA

Boxworth Experimental Husbandry Farm, Boxworth, Cambridge, CB3 8NN

Bridget's Experimental Husbandry Farm, Martyr Worthy, Winchester, Hampshire, SO21 1AP

Drayton Experimental Husbandry Farm, Alcester Road, Stratford-on-Avon, Warwickshire, CV37 9RQ

Gleadthorpe Experimental Husbandry Farm, Meden Vale, Mansfield, Nottinghamshire, NG20 9PF

High Mowthorpe Experimental Husbandry Farm, Duggleby, Malton, North Yorkshire, YO17 8BP

Liscombe Experimental Husbandry Farm, Dulverton, Somerset, TA22 9PZ

Redesdale Experimental Husbandry Farm, Rochester, Otterburn, Newcastle upon Tyne

Rosemaund Experimental Husbandry Farm, Preston Wynne, Hereford, HR1 3PG

Terrington Experimental Husbandry Farm, Terrington St. Clement, King's Lynn, Norfolk, PE34 4PW

Trawsgoed Experimental Husbandry Farm, Trawsgoed Aberystwth, Dyfed, SY23 3HT

Pwllpeiran Experimental Husbandry Farm, Cwmystwyth, Aberystwyth, Dyfed, SY23 4AB

Efford Experimental Horticulture Station, Lymington, Hampshire, SO41 0LZ

Kirton Experimental Horticulture Station, Kirton, Boston, Lincolnshire, PE20 1EJ

Lee Valley Experimental Station, Ware Road, Hoddesdon, Hertfordshire, EN11 9AQ

Luddington Experimental Horticulture Station, Luddington, Stratford-on-Avon, Warwickshire, CV37 9SJ

Rosewarne Experimental Station, Camborne, Cornwall, TR14 0AB

Isles of Scilly Sub-Station (see above)

Stockbridge House Experimental Horticulture Station, Cawood, Selby, North Yorks, YO8 0TZ

National Fruit Trials, Brogdale Farm, Faversham, Kent, ME13 8XZ

Field Evaluation Unit, Drayton Manor Drive, Alcester Road, Stratford-upon-Avon

Farm Buildings Development Centre, 77/81 Basingstoke Road, Reading, RG2 0EF

Field Drainage Experimental Unit, Anstey Hall, Maris Lane, Trumpington, Cambs.

ADAS Laboratories

Central Science Laboratories situated at:

London Road
Slough
Berkshire
SL3 7HJ

Hook Rise South
Tolworth
Surbiton
Surrey
KT6 7NF

Tangley Place
Worplesdon
Surrey
GU8 3LQ

Hatching Green
Harpenden
Hertfordshire
AL5 2BD

Jupiter Road
Hellesdon
Norwich
NR6 6SP

Central Veterinary Laboratory
New Haw
Weybridge
Surrey
KT15 3NB

Cattle Breeding Centre
Shinfield
Reading
RG2 9BZ

Lasswade Veterinary Laboratory
Buss Estate
Penicuick
Midlothian
EH26 0SA

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food when he last visited an agricultural research centre; and what matters he discussed.

Mr. MacGregor: I visited the Norfolk agricultural station at Morley on 28 October. Amongst matters discussed were diagnostic and advisory services for farmers and the funding of near market research.

Research

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement listing the reasons for the latest cuts in agricultural research; and what is the most recent figure for the level of the cuts.

Mr. Ryder: My Department's examination of its research and development programme took place against the objectives outlined in the July 1987 White Paper on civil research and development (Cm. 185) and the Government's view that research which offers the prospect of commercial application or exploitation within a reasonable timescale is appropriate for funding by the industry. As announced in the Autumn Statement, funding for near market R & D has been reduced by £5 million for 1990-91 and £14 million for 1991-92. Together with the reduction announced last year, this is equivalent to a reduction in 1991-92 of £30 million at full economic cost. Final decisions on the future level of Government funding will not be made until after consultations with industry have been completed.

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food if he will list and give details of the cuts in research funding at each of the agricultural institutes and research centres; and if he will make a statement.

Mr. Ryder: The full implications of the reductions in public support for near market research and development on individual sectors and programmes will not be known until the extent of industry funding has been established. It is not therefore possible at present to say what the effects will be for any individual research establishment.

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food whether he has had discussions with the food industry about the future of research and development; and if he will make a statement.

Mr. Ryder: My right hon. Friend the Minister met representatives of the food industry to discuss future funding of research and development on 24 and 25 February and my noble Friend Baroness Trumpington held further discussions with them on 7 and 12 October. Industry organisations were asked to let us have their considered response by the end of October and we are now examining their submissions.

Fishing Vessels

Mr. Galbraith: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to introduce a decommissioning system for fishing vessels.

Mr. Donald Thompson: The reintroduction of a decommissioning scheme was one of several ideas recently put forward by fishing industry organisations in response to our consultation paper on possible measures to contain capacity. Officials will be having discussions with the industry organisations about this and other ideas, but I would not favour such a scheme unless I was satisfied that it would achieve proper value for the public money involved.

Sea Fish Industry Authority

Mr. Darling: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to visit the Sea Fish Industry Authority in Edinburgh in the near future.

Mr. Donald Thompson: I have not yet had the opportunity to visit the authority in Edinburgh but hope to do so soon.

HOUSE OF COMMONS

Staff (Access)

Mr. Amess: To ask the Lord President of the Council if he will list those sections of the Palace of Westminster where access is prohibited to staff of hon. Members; and if he will make a statement.

Mr. Wakeham: This information is contained in the leaflet, "Information for Members' Private Secretaries and Research Assistants" which is issued by the Serjeant at Arms. I will arrange for my hon. Friend to receive a copy.

TRADE AND INDUSTRY

Regional Development Fund

Mr. Win Griffiths: To ask the Chancellor of the Duchy of Lancaster how many people since 1975 have been directly employed on schemes receiving European regional development fund support in each standard planning region.

Mr. Atkins: Since its inception in 1975 the fund has contributed to a wide variety of infrastructure investments throughout the assisted areas, and to the cost of regional industrial assistance for many productive investments. These investments have created or maintained employment in the projects in question as well as providing construction work at the outset.

The European Commission has published, in its 12th annual report (1986) on the fund, an estimate that it has directly helped to create or safeguard 221,604 jobs in the United Kingdom.

Military Goods and Services

Mr. Nellist: To ask the Chancellor of the Duchy of Lancaster if he will list in the *Official Report* the five United Kingdom-based companies which exported the largest amount of military goods and services in the year ended 31 March 1987, according to export licences granted by his Department.

Mr. Alan Clark: It is not appropriate to disclose information of a commercially confidential nature in relation to the granting of export licences.

Trade Descriptions Act

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster if he will make a statement setting out the alternative arrangements to replace the safeguards of the Trade Descriptions Act 1972 referred to in the speech of the then Under-Secretary of State, *Official Report*, 27 April 1987, column 92.

Mr. Forth: I refer my hon. Friend to the answer I gave to a question from my hon. Friend the Member for Hendon, South (Mr. Marshall) on 20 October, *Official Report*, Column 981.

Misleading Price Markings

Mr. Neil Hamilton: To ask the Chancellor of the Duchy of Lancaster whether he has reached a decision on the code of practice and proposed regulations under part III of the Consumer Protection Act 1987 to control certain misleading price indications.

Mr. Forth: I have given very careful consideration to all the representations put to me on the need for regulations to support the general offence of giving consumers a misleading price indication, laid down by part III of the Consumer Protection Act 1987. Public consultations did not reveal a consensus either on the need for regulations or on the form any regulations should take. There is no clear evidence at this stage of a need for regulations in addition to the general offence and the code of practice. Moreover, there is a risk that regulations could undermine the effectiveness of the general offence. I have therefore concluded that it would not be right to introduce regulations at this stage.

Taken together, I believe that the general offence and the code of practice will prove adequate to control misleading price indications and will do so in a way which is easier for all to understand and put into practice than regulations would be. Nonetheless, I intend that the operation of the new regime should be reviewed two or three years after coming into force (or earlier if the need arises), to ensure that if any difficulties emerge, they can be dealt with.

The code of practice will be revised to take account of comments received during consultations on it and the decision not to make regulations. We expect to publish the final version of the code at the end of this month, with the aim of bringing part III of the Consumer Protection Act 1987 into force on 1 March 1989. I believe that the lengthy consultations that we have carried out on this issue have been both valuable and necessary. As a result, we have now arrived at a regime which reflects a proper balance and will benefit both consumers and traders.

Medicine Imports

Mr. David Nicholson: To ask the Chancellor of the Duchy of Lancaster what indication he can give of the detrimental effect on the balance of trade that is directly attributable to parallel imports of pharmaceutical products; and to what extent they have damaged investment in production in the United Kingdom.

Mr. Mellor: I have been asked to reply. We are aware that there is some general feeling in the research-based pharmaceutical industry that parallel imports could be harmful to the industry in various ways. We have not, however, seen any specific evidence of detrimental effects of the kind to which my hon. Friend refers.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the withdrawal of Soviet troops from Afghanistan.

Mr. Eggar: We believe that the Soviet Union has withdrawn about half its troops from Afghanistan since the Geneva agreement. But Soviet forces are still taking aggressive military action there and have recently introduced more advanced weaponry. We look forward to the complete and prompt withdrawal of the remaining Soviet troops.

European Community (Foreign Policy)

Mr. Cran: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the extent to which Britain's foreign policy remains independent of the other member states of the European Community.

Mr. Eggar: Britain's foreign policy remains British. Within the framework of European political co-operation we have an obligation to inform and consult our European partners on matters of general interest. The ability of the Twelve to speak and act together is a significant help in achieving British objectives.

Brazil

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the current state of Anglo-Brazilian relations.

Mr. Eggar: As I said in my reply of 19 October to a question by my hon. Friend the Member for Lewisham, West (Mr. Maples), the United Kingdom enjoys traditionally good relations with Brazil, which we are seeking to develop. We welcome her return to democracy. Brazil is by far our largest export market in Latin America.

I have just returned from a most useful visit to Brazil during which I discussed a number of issues with the Brazilian authorities. My right hon. Friend the Minister of State, Department of Energy visited Brazil in October.

GCHQ

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding the cases of the sacked trade unionists at Government communications headquarters.

Mr. Waldegrave: We have received representations from hon. Members and from some trade unions. I have also received a number of letters from members of the public and a petition from the remaining GCHQ trade union members.

Central America

Mr. Flannery: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit any of the countries of central America in the near future.

Mr. Eggar: [illegible] my right hon. and learned Friend the Secretary of [illegible] will attend the San Jose V conference due to be held in San Pedro Sula, Honduras in February 1989. I also hope to be able to visit the region during 1989.

Turks and Caicos Islands (Attorney-General)

Mr. Fraser: To ask the Secretary of State for Foreign and Commonwealth Affairs what action has been taken in the Turks and Caicos islands to prosecute the former Attorney-General, Terence Donegan, and to recover from him Crown lands appropriated to him and persons under his control.

Mr. Eggar: Mr. Terence Donegan has not been prosecuted by the Turks and Caicos Islands Government. Following a commission of inquiry, he was served with a deportation order in July 1987 and will not be allowed to re-enter the territory.

The question of restitution of alienated Crown lands is a matter for consideration by the Turks and Caicos Islands Government.

Chemical and Biological Weapons

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what is his policy towards proposals for a verifiable international treaty to ban all deployment of chemical and biological weapons;

(2) what consideration his Department has given to proposals for a complete and total international ban on chemical weapons.

Mr. Waldegrave: We participate actively in the negotiations currently taking place at the conference on disarmament in Geneva for a comprehensive and effectively verifiable prohibition of the development, production and stockpiling of chemical weapons and of their destruction. Such a ban is a major United Kingdom

and NATO arms control priority. We are party to both the 1925 Geneva protocol which prohibits the use in war of chemical and biological weapons, and the 1972 biological weapons convention which prohibits the development, production and stockpiling of biological and toxin weapons.

Continental Shelf (Delimitation)

Mr. Mans: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement about the agreement with the Republic of Ireland on the delimitation of the continental shelf signed in Dublin on 7 November.

Sir Geoffrey Howe: I refer my hon. Friend to the reply that I gave yesterday to my hon. Friend the Member for Cannock and Burntwood (Mr. Howarth).

ENERGY

Energy Audits

Mr. Speller: To ask the Secretary of State for Energy if he will seek powers to require the owner of any domestic or commercial property to include in the sale or rental particulars an energy rating; and if he will make a statement on energy audits.

Mr. Peter Morrison: No. This is a matter for the seller and the buyer of any domestic or commercial property and it would not be either desirable or appropriate for the Government to interfere.

Greenhouse Effect

Mr. Kirkwood: To ask the Secretary of State for Energy what assessment Her Majesty's Government have made of the number of additional nuclear power stations which will be required to have an impact on the greenhouse effect.

Mr. Michael Spicer: Man-made climate change (the greenhouse effect) is a complex subject involving many contributory factors and interrelationships. Carbon dioxide from biological and fossil fuel combustion sources is one such factor, but other trace gases in the atmosphere also contribute to the phenomenon.

There are still many uncertainties, but in the Government's view it will be necessary for the developed world to reach a common view on the effect of greenhouse gases when assessing the long-term implications for power generation.

Mr. Kirkwood: To ask the Secretary of State for Energy what proposals his Department has to promote energy conservation as a way of alleviating the greenhouse effect.

Mr. Peter Morrison: I recognise that all forms of energy production have environmental consequences and that greater efficiency in energy use can help minimise these. That is one good reason, among many, for promoting energy efficiency. Earlier this year I announced a new phase in the work of the energy efficiency office in which it would run more specific and targeted services, building on its past successes.

Power Stations

Mr. Kirkwood: To ask the Secretary of State for Energy what is the total estimated cost of removing 60 per cent. of sulphur dioxide from coal-burning power station emissions; and what is the current level of spending on the programme.

Mr. Michael Spicer: The CEGB is evaluating the implications of meeting a reduction of 60 per cent. in emissions from its existing plant as required by the EC large combustion plant directive. Preliminary estimates suggest that the equivalent of an extra 6GW of plant, in addition to the existing 6GW voluntary retrofit programme, might need to be fitted with flue gas desulphurisation (FGD) equipment. The board is currently assessing tenders for the FGD equipment to be fitted to Drax, which will be the first station to be fitted under the existing programme. At present price levels the full programme could involve a capital cost of £1·6 billion and could also lead to additional operating costs.

Alternative Energy

Mr. Kirkwood: To ask the Secretary of State for Energy if he will publish in the *Official Report* a table showing, for the last five years, the amount of Governmental spending on research into energy from wind, solar, tidal and nuclear sources.

Mr. Michael Spicer: Expenditure under my Department's Vote has been as follows:

£ million cash

	1983-84	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Wind	2·5	4·8	5·4	3·7	4·0
Solar	0·9	0·5	0·7	0·8	1·1
Tidal	0·9	0·3	0·1	0·1	1·4
Nuclear	203·8	186·0	189·6	183·9	172·5

Electricity

Sir Ian Lloyd: To ask the Secretary of State for Energy when he expects to publish his Department's response to the third report of the Select Committee on Energy entitled "The Structure Regulation and Economic Consequences of Electricity Supply in the Private Sector."

Mr. Parkinson: The Government's reply was sent to the Committee on Friday 4 November. I understand that the Committee has today agreed a special report, which includes the reply as an appendix, and that copies of this special report are available in typescript in the Vote Office.

TRANSPORT

Road Accidents (Driver Statistics)

Mr. Snape: To ask the Secretary of State for Transport what evidence he has on the relative probability of older drivers causing or being involved in road accidents.

Mr. Peter Bottomley: A detailed analysis of car driver accident involvement rates by age is given in TRRL research report 135, "The variation of car drivers' accident risk with age", which is available in the House of Commons Library. Updated figures, based on this report, will be given in "Road Accidents Great Britain 1987" which is expected to be published at the end of November.

No data are available on the probability of an older driver causing an accident as such information is not recorded on the accident report form.

The following table shows the number of car drivers involved in accidents, in 1987, for three approximately equal age bands of driver. However, as probability of being involved in an accident depends on the distance driven, and as older drivers do not drive as far, in general, as younger ones, the figures do not give a complete picture. This can be obtained from the TRRL report.

Age of driver	*Number involved*	*Percentage of total*
Under 35	146,276	51
35-54	86,447	30
55 and over	34,729	12
Not reported	20,184	7
All ages	287,636	100

Orange Badge Scheme

Mr. Colvin: To ask the Secretary of State for Transport if, on completion of his review of the orange badge scheme and publication of his revised leaflet on the subject, he will make a statement on new measures which he proposes to improve provisions for the disabled.

Mr. Peter Bottomley: The Department of Transport has a strong and continuing commitment to improve transport facilities for people with disabilities. The review of the orange badge scheme is part of this process.

West Wellow (Accidents)

Mr. Colvin: To ask the Secretary of State for Transport if he will publish the figure for personal injury accidents per million vehicle kilometres for the A36 trunk road through West Wellow, and give the comparable figure for the national average accident rate for this type of road, for the period 1 August 1985 to 31 July 1988; and if he will make a statement.

Mr. Peter Bottomley: The personal injury accident rate per million vehicle kilometres for the A36 through West Wellow is 0·7 for the period 1 August 1985 to 31 July 1988. National average accident rates are calculated annually for broad categories of roads. The 1987 rates for A class roads (both single and dual carriageway) were:

	Accident rate
Built-up with 40 mph speed limit	1·16
Non-built-up	0·34
All types	0·69

The A36 at West Wellow is a single carriageway with a 50 mph speed limit. National average accident rates for this type of road have not been calculated. Our agent authority consider that a rate of 0·62 would be appropriate in this case.

Channel Tunnel

Mr. Hoddle: To ask the Secretary of State for Transport if he will give details of the studies currently being undertaken by his Department to assess the likely impact on the motorway network in general and the M1 and M6 in particular of the increased volume of commercial traffic following the opening of the Channel tunnel.

Mr. Peter Bottomley: The Department keeps the current and future operation of the motorway and trunk road networks under continuous review. The impact of the Channel tunnel is one of the many factors taken into account.

Motorways

Mr. Robert Banks: To ask the Secretary of State for Transport what is the role of his Department in proposals for the construction of an extension of the M11 through to Lincolnshire, Yorkshire and the north-east.

Mr. Peter Bottomley: The Department is not involved in the proposals for extending the M11.

City Airport (Road Link)

Mr. Robert Banks: To ask the Secretary of State for Transport what options he is considering for building a fast new road link from Tower Hill to the Isle of Dogs and the City airport; and what is his objective for the completion of such a project.

Mr. Peter Bottomley: A number of junction improvements on the existing A13 have been included in the trunk road programme. There are no plans for a new trunk road link. The London Docklands development corporation (LDDC) has a programme of road schemes designed to improve access into and within docklands.

The consultants for the Department's east London assessment study are considering options to alleviate the transport related problems in a wide area of east London. The report giving their recommendations is due in the summer of 1989.

Eye Bypass

Mr. Moss: To ask the Secretary of State for Transport if there has been a delay in the proposed start of the A47 Eye bypass in Cambridgeshire; when is the anticipated start date; and when is the expected completion date.

Mr. Peter Bottomley: We should complete the formal statutory procedures to make the line, side road and compulsory purchase orders for the bypass by the end of November 1988. We have then to arrange some advance statutory undertakers works. We hope to start the main works on the bypass next summer. They will take about 18 months to complete.

Heavy Goods Vehicles (Spray)

Mr. Sheerman: To ask the Secretary of State for Transport when the new EEC regulations for splash-spray containers on heavy goods vehicles will be implemented on an EEC-wide basis.

Mr. Peter Bottomley: The United Kingdom is in favour of greater spray protection on lorries. Unfortunately there

has been opposition to the proposed directive by a significant number of other member states. This has limited progress so far. It is impossible to say when the Commission draft directive will be accepted in the EC.

Roads (Open Draining Asphalt Systems)

Mr. Sheerman: To ask the Secretary of State for Transport (1) what discussions he has had with representatives of transport trade associations on the use of open draining asphalt systems for British roads;

(2) what will be the cost of installing open draining asphalt systems as an alternative road surfacing on 10 per cent. of British motorways;

(3) what plans there are to use open draining asphalt systems for road surfacing in the United Kingdom;

(4) what is the approximate cost of open draining asphalt systems for road services compared with conventional surfaces used on Britain's roads.

Mr. Peter Bottomley: Officials have met representatives of transport trade associations about the use of open draining asphalt materials. The Department is currently carrying out research into the properties of these materials. We expect the results to be available in the early part of 1990. Until then we cannot form a view as to whether these materials should be introduced on motorways and other trunk roads in England. Detailed cost information is not yet available. Current indications are that these materials will be significantly more expensive than conventional ones.

Heavy Goods Vehicles

Mr. Sheerman: To ask the Secretary of State for Transport how many regulations which apply to those heavy goods vehicles which are licensed in the United Kingdom are not applicable to heavy goods vehicles arriving in the United Kingdom from *(a)* other EEC countries and *(b)* other European countries.

Mr. Peter Bottomley: In general, foreign lorries entering the United Kingdom for a period of more than three months must comply with all relevant United Kingdom legislation. Those arriving for periods of three months or less are exempted from customs duties and from certain of the vehicle lighting and the construction and use regulations.

Foreign vehicles carrying dangerous goods must comply with United Kingdom regulations, unless they meet the provisions of the United Nations agreement on the carriage of dangerous goods by road (ADR).

Mr. Sheerman: To ask the Secretary of State for Transport what steps he intends taking to bring the standards of heavy goods vehicles arriving in Britain up to the standards necessary for vehicles licensed and operating in the United Kingdom.

Mr. Peter Bottomley: There is no evidence that the roadworthiness standards of visiting vehicles are lower than those of British vehicles. Foreign operators must comply with their national safety standards which, with the exception of our requirements on sideguards and spray suppression equipment, are generally similar to British standards.

Our construction and use requirements on weight limits apply to visiting vehicles.

Basic safety standards of vehicles on international journeys are applied by international conventions. Standards are enforced in the United Kingdom at ports and at the roadside. Heavy goods vehicles from EC member states must be tested annually, to comply with the EC roadworthiness directive.

Air Traffic Delays

Mr. Sheerman: To ask the Secretary of State for Transport by what percentage air traffic delays have increased at United Kingdom airports from 1984 to the present day.

Mr. Peter Bottomley: I refer the hon. Member to my reply given on Monday 7 November at column 70.

M27—M3 Link

Mr. Ward: To ask the Secretary of State for Transport if he has yet received the independent inspector's report on the latest public inquiry about the final motorway link between the M27 and M3; and when contracts are likely to be placed.

Mr. Peter Bottomley: No. We hope to receive the report of the reopened public inquiry into the Bar End of Compton section of M3 shortly. The timing of construction depends upon the inspector's recommendations and the joint decisions of my right hon. Friends the Secretaries of State for the Environment and for Transport.

Thames Bridges

Mr. Bowis: To ask the Secretary of State for Transport what steps he is taking to prevent damage to Thames bridges by river traffic.

Mr. Portillo *[holding answer 7 November 1988]:* The Port of London Authority is responsible for controlling river traffic and making byelaws below Teddington lock. Bridge designs take account of the risks and consequences of possible collisions. It has not been the practice of Thames bridge authorities to provide external protection which would reduce the navigational channel.

NORTHERN IRELAND

Slaughtering Facilities

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on the utilisation of livestock slaughtering facilities for cattle, sheep and pigs in Northern Ireland at existing abattoirs and meat plants; and whether there is over or under provision of slaughtering facilities.

Mr. Viggers: There are 23 slaughterhouses in Northern Ireland with a combined cattle and sheep slaughter capacity per week of approximately 23,000 cattle equivalents (one cattle unit equals five sheep) and 29,000 pigs. In recent years utilisation of slaughtering facilities was as follows:

Average weekly slaughterings

Year	*Cattle equivalents*	*Pigs*
1987	11,197	22,364
1986	12,025	23,352
1985	13,895	22,850

Year	Cattle equivalents	Pigs
1984	12,998	22,389
Peak weekly slaughterings		
1987	15,152	25,247
1986	20,029	27,959
1985	24,183	26,890
1984	20,534	28,646

On an annual or average weekly basis, there is overprovision of slaughtering capacity. However, as the figures above for 1984 (pigs) and 1985 (cattle) indicate, there are times when the total capacity now available is required to cater for the seasonal peak of slaughtering in any year of high livestock production and marketing.

Set-aside Proposals

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what has been the response by farmers to the new agriculture set-aside proposals.

Mr. Viggers: The Department of Agriculture for Northern Ireland has received 16 applications to take 180 hectares of land out of cereal production, mostly for permanent fallow and non-agricultural use. This represents about 0·36 per cent. of land given over to cereals in Northern Ireland. A further 82 farmers have registered 2,400 hectares for potential set-aside in future years. If all the registrations were followed through to become applications, 5 per cent. of eligible land would be taken out of production.

Water Charges

Mr. McGrady: To ask the Secretary of State for Northern Ireland what representations he has received about the increase in metered water charges in Northern Ireland.

Mr. Needham: Since 1 April 1988 representations have been received from 16 sources, including a Member of Parliament, 14 district councils and the Ulster Farmers' Union.

School Meals

Mr. Battle: To ask the Secretary of State for Northern Ireland if he will publish a table showing the average price of a school meal in *(a)* primary and *(b)* secondary schools for each year since 1979 to 1988 in 1988 prices in Northern Ireland.

Dr. Mawhinney: The information is as follows:

(Pence)

	Primary	Secondary
1979	46·64	46·64
1980	55·13	55·13
1981	64·52	64·52
1982	66·91	66·91
1983	70·39	70·39
1984	67·00	67·00
1985	69·35	69·35
1986	67·11	67·11
1987	74·38	79·69
1988	75·00	80·00

Average charge for a fixed price school meal adjusted to 1988 prices using the GDP deflator.

Private Health Care

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the links between the study presently being undertaken by United Medical Enterprises and his plans to encourage private health care in Northern Ireland.

Mr. Needham: There are no links between the present Northern Ireland health care exports study being undertaken by United Medical Enterprises and the Government's approach to private health care provision in Northern Ireland.

Ultimate Dream (Order)

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on *(a)* the precise reasons why his recent negotiations with Mr. Ravi Tikkoo broke down and *(b)* the efforts presently being made by his Department to help secure the Ultimate Dream cruise liner order for Harland and Wolff.

Mr. Viggers: For reasons of commercial confidentiality, I am unable to elaborate on why negotiations broke down with Mr. Tikkoo. I can confirm that the Government were willing to make very substantial public funds available, in addition to full intervention aid, to enable Mr. Tikkoo to acquire the yard and to construct the Ultimate Dream. Unfortunately, Mr. Tikkoo did not feel able to proceed on the basis proposed.

The Government are committed to returning Harland and Wolff to the private sector. It will be up to the new owners to win orders for the yard under terms with which they are content. Requests by a privately owned Harland and Wolff for intervention aid for the Ultimate Dream or other merchant contracts will be considered within the limits permitted by the United Kingdom Government and the EC at that time.

Harland and Wolff

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the criteria that Harland and Wolff need to meet in order to be able to tender for Government contracts.

Mr. Viggers: It will be open to Harland and Wolff under private ownership to seek further MOD orders. Its eligibility to undertake such work would be assessed by the MOD in the normal way.

Seals Virus

Mr. Morgan: To ask the Secretary of State for Northern Ireland what evidence he has of porpoises, dolphins and other cetaceans being infected by the North sea seals virus or related viruses in United Kingdom coastal waters.

Mr. Viggers *[holding answer 4 November 1988]:* Three dead porpoises have been received at the Department of

Agriculture veterinary laboratory in Belfast from Strangford Lough and Newcastle, Co. Down. Pathological and virological examinations on two of these have shown gross and microscopic lesions of pneumonia and encephalitis identical to those seen in seals found to have been infected with a virus from the same virus group as canine distemper. Similar viral antigens have been found in both the seals and porpoises. Studies are continuing on the relationship of these viruses to canine distemper.

EMPLOYMENT

YTS

Mr. Wilson: To ask the Secretary of State for Employment how many YTS places are available; and how many applicants for YTS places there are, in each area of the United Kingdom.

Mr. Cope: Regional figures for the number of agreed places which were unfilled on 30 September, the latest date for which information is available, are provided in the table:

	Number
London	11,300
South East	16,800
South West	10,900
West Midlands	19,900
East Midlands and Eastern	13,600
Yorkshire and Humberside	8,200
North West	13,900
Northern	6,700
Wales	3,500
Scotland	12,000
Great Britain	116,800

Northern Ireland has a separate programme for youth training.

Comparable figures for the number of applicants are not available. Each local careers office will have its own records of the number of those who have at any one time applied to them for a YTS place. This information could not be at aggregated regional or national level except at disproportionate cost.

Mr. McLeish: To ask the Secretary of State for Employment how many 16 and 17-year-olds are eligible for the YTS but have not been placed at the most recent date for which the information was available.

Mr. Cope *[holding answer 7 November 1988]:* All 16 and 17-year-olds not in full-time education are eligible to apply for YTS, but many do not do so. It is not possible to estimate how many of this summer's school leavers are seeking a place. On 2 November there were 31,882 young people who had applied for a YTS place and were receiving bridging allowance.

Mr. McLeish: To ask the Secretary of State for Employment if he will provide an estimate of the total number of 16 and 17-year-olds who will not have received an offer of a YTS place on the termination of the bridging allowance on 5 November in Wales and each of the standard regions.

Mr. Cope *[holding answer, 7 November 1988]:* It is the responsibility of the local authority careers service to ensure that a young person who has applied to it for a YTS place, and made himself or herself available, to discuss possible places, is put in contact with managing agents to ensure they are offered a start on a YTS scheme before the end of the guarantee period. The Training Agency has made more than sufficient places available in all areas of the country to meet the potential take up. Local careers offices do not always know if a young person takes a job but they may be able to estimate how many young people were not offered a place because, for example, they did not come into the office for an interview, but I am not aware of any national estimate—which in any case would be difficult to make on a consistent basis across the country.

Job Clubs

Ms. Short: To ask the Secretary of State for Employment how many unemployed claimants have been referred to job clubs or the new job training scheme as a result of restart interviews since 1986; how many of them have subsequently taken up places in job clubs or on NJTS; how many of them have been recalled for follow-up interviews with either a claimant adviser or restart counsellor because they have failed to join the job club or NJTS; and if he will make a statement.

Mr. Lee: Referrals to jobclubs and new job training Scheme since 1986 are given in the table. We do not know how many people ultimately take up the options offered to them at the restart interview. Information is only held on the total number of follow-up interviews carried out and not by category.

	Referrals to:	
Year	*Jobclubs*	*NJTS*
1986-87	76,690	3,456
1987-88	225,130	227,912
1988-89[1]	110,143	121,051
Total	411,963	352,419

[1] To the end of September 1988.

Tourism

Mr. Fearn: To ask the Secretary of State for Employment how many tourist attractions in the United Kingdom are based on railway history; and how many have received grant aid.

Mr. Lee: The Museums Association currently list 31 railway-based attractions in the United Kingdom open to the public which have historical connections. There are also a large number of smaller attractions such as individual restored locomotives. Of the 31 major attractions, one in England received grant aid under section 4 of the Development of Tourism Act in 1988-89. In Northern Ireland, under the local authority grants scheme, one attraction received assistance in 1987-88, and one in 1988-89.

Mr. Fearn: To ask the Secretary of State for Employment what grants are available to private companies promoting tourism which intend to expand their operations in the United Kingdom.

Mr. Lee: Grants are available in England through the English Tourist Board under section 4 of the Development of Tourism Act 1969. Tourism projects may also be eligible for other forms of assistance, for example, from the MAFF farm diversification scheme or the DTI's city grant scheme.

HEALTH

Local Authority Spending

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the amount of local authority spending, on average, on social services and the amount per head for 1960, 1970, 1979, 1984 and 1988.

Mr. Mellor: The table gives the information requested for the financial years 1979-80 (outturn), 1984-85 (outturn)

and 1988-89 (budgets). The figures are also shown in real terms adjusted by the GDP deflator (base 1987-88). Information for 1960 and 1970 is not available in a comparable form.

Net Current Expenditure by local authorities on the Personal Social Services in England

	£ million cash	£ million real terms	£ per head cash	£ per head real terms
1979-80	1,305	2,291	28·13	49·39
1984-85	2,271	2,604	48·36	55·45
1988-89	3,227	3,037	67·95	63·96

Doctors

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state, as a ratio, the number of doctors to patients in the National Health Service for 1970, 1979, 1984 and 1988; and if he will give the percentage change for those years.

Mr. Meller: Meaningful ratios cannot be obtained to include all hospital activity. The table sets out information available about hospital services.

Table: doctors and patients—NHS hospital services, England

	1970	1971	1979	1984	1986	[1]1987	Percentage change 1970-79	Percentage change 1979-84	Percentage change 1984-87
Number of medical staff in post[2]	n/a	24,908	33,578	36,761	37,622	37,580	[3]34·8	11·9	2·2
Total out-patient attendances	32,354,802	33,129,241	34,099,725	37,042,706	37,727,605	n/a	5·1	8·6	[4]1·8
ratio-doctors: (1:)	n/a	1,330	1,016	1,008	1,003	n/a			
Hospital in-patient cases treated	5,011,713	5,170,791	5,400,120	6,177,545	6,413,789	6,619,354	7·7	14·4	7·2
ratio-doctors: (1:)	n/a	208	161	168	170	176			
Hospital day cases	n/a	n/a	592,061	982,894	1,050,158	n/a	—	52·5	[4]16·3

[1] The number of hospital out-patient attendances, in-patient cases treated and day cases are for the financial year 1986-87.
[2] Figures include permanent paid, honorary and locum staff as at 30 September each year.
[3] Percentage change 1971-79.
[4] Percentage change 1984-86.

Medicine Imports

Mr. David Nicholson: To ask the Secretary of State for Health how many product licences (parallel imports) have been granted for medicines imported from each of the member states of the European Community; and what was the value of the parallel imports of medicines from each country in 1987.

Mr. Meller: The number of product licences (parallel imports) granted for medicinal products imported from each of the member states of the European Community as at 31 October 1988 is as follows:

	Number
Belgium	1,147
Denmark	49
Eire	Nil
France	584
Germany	28
Greece	169
Holland	17
Italy	311
Luxembourg	Nil
Portugal	Nil
Spain	4

No information is available about the value of parallel imports of medicinal products from each country in 1987.

Mr. David Nicholson: To ask the Secretary of State for Health which EEC countries are not members of the pharmaceutical inspection convention.

Mr. Meller: EEC countries which are not members of the pharmaceutical inspection convention are:

Spain
France
Italy
Luxembourg
Greece
Holland

(Belgium has recently joined the convention).

Measles, Mumps, Rubella

Ms. Armstrong: To ask the Secretary of State for Health how many doses of the measle mumps rubella vaccine were available in each district health authority to coincide with the launch of the measles mumps rubella immunisation campaign by his Department on 1 October; and why clinics in the Tower Hamlets district health authority have had to refuse vaccinations to four to five-year-olds.

Mrs. Currie: District health authorities obtain supplies of the vaccine from some 250 nominated ordering points. By 1 October each ordering point had available an average of 1,080 doses, and a minimum of 270 doses, with 300,000 doses available in total. Further supplies continue to be distributed on a regular basis. We are still on target to distribute one million doses by Christmas. Because of local uncertainty about supplies Tower Hamlets district health authority decided to defer its programme for four to five-year-olds for a short period. It now plans to resume this programme in January 1989 and supply is matching its capacity to use the vaccine.

Ms. Armstrong: To ask the Secretary of State for Health what steps are being taken to ensure that adequate supplies of measles mumps rubella vaccine are supplied to district health authorities to meet the demands created by the measles mumps rubella immunisation campaign launched by his Department on 1 October.

Mrs. Currie: I refer the hon. Member to my reply of 31 October to my hon. Friend the Member for Wolverhampton, North-East (Mrs. Hicks) at column *491*.

Nurses (Back Injuries)

Ms. Armstrong: To ask the Secretary of State for Health if he will publish in the *Official Report* the cost to district health authorities of back injury litigation claims by nurses.

Mr. Meller: We do not collect this sort of detailed information centrally.

Private Residential Homes

Mr. Jack Thompson: To ask the Secretary of State for Health if he has any plans to introduce new legislation to improve safety and care standards in private residential homes.

Mrs. Currie: The Registered Homes Act 1984 gives my right hon. and learned Friend the Secretary of State powers to make regulations governing the conduct and inspection of private and voluntary residential care homes registered with local social services authorities. We have used these powers to make the Residential Care Homes Regulations 1984 (S.I. 1345) which includes requirements for adequate arrangements for fire safety and for precautions against the risk of accidents. The regulations as amended by the Residential Care Homes (Amendment) Regulations 1988 also oblige authorities to inspect registered homes at least twice in every period of 12 months. In addition general guidance on the running of residential care homes is available in "Home Life", a code of practice for residential care, and in circulars issued by the Department. Further regulations or guidance will be issued as necessary.

These measures complement the health and safety at work legislation in its application to these homes.

RAWP Targets

Mr. Bermingham: To ask the Secretary of State for Health when he expects St. Helens and Knowsley health authority to reach its resource allocation working party target; and if he will make it his policy to target the additional resources announced in the autumn statement on those authorities significantly below resource allocation working party target.

Mr. Mellor: It is a matter for Mersey regional health authority to make decisions about the funding of St. Helens and Knowsley health authority. Regions are expected to base allocations on service plans and not simply apply a formula. RAWP has significantly reduced the disparities between regional health authorities since 1978-79 so that no region is now more than 4 per cent. below its RAWP target. We will be making decisions on regional allocations for 1989-90 shortly.

Cleveland (Child Abuse)

Mr. Devlin: To ask the Secretary of State for Health what steps he has taken to monitor the response of the social services department in Cleveland to the criticisms made by the report of the inquiry into child abuse in Cleveland 1987.

Mr. Mellor: I have called for and received from the leader of the Cleveland county council an account of the measures being taken to ensure that the events in Cleveland never happen again. I have asked the social services inspectorate to undertake an immediate inspection of the current policies and procedures in Cleveland county council for responding to possible or actual cases of child sexual abuse.

The inspection will centre on the investigation of a sample of children recently referred to the social services department where sexual abuse has been suspected or alleged. The focus will be primarily on the arrangements within the social services department but will also take account of the relationships with the health authorities, police and other agencies. These terms of reference and the arrangements from the inspection have been agreed with the local authority. The social services inspectorate will report by the end of November.

Aluminium

Mr. Hood: To ask the Secretary of State for Health what advice is available to him as to which diseases are caused by overconsumption of aluminium.

Mrs. Currie *[holding answer 1 November 1988]:* Aluminium and its salts are of low toxicity and have various approved uses in medical practice and in the food and water industries. No disease is known to be caused by aluminium naturally present, or as a result of approved use, in food or drinking water.

An hypothesis that aluminium may have a role in the causation of Alzheimer's disease is amongst those currently being studied. Rare incidents of gross contamination of water with certain salts of aluminium have caused acute outbreaks of diarrhoea and vomiting. Prolonged overconsumption of aluminium hydroxide, used as an antacid, can cause metabolic disturbances including demineralisation of bone (osteomalacia) particularly in people with kidney disease. Renal dialysis with fluid high in aluminium is liable to cause encephalopathy and osteomalacia because the aluminium readily enters the bloodstream, unlike ingested aluminium; low aluminium dialysis fluid is therefore now used.

Mental Health Act Commission

Mr. John Hughes: To ask the Secretary of State for Health in how many cases since the establishment of the Mental Health Act Commission a second-opinion-approved doctor has disagreed with the treatment plan of the responsible medical officer; and, in each case, on what grounds.

Mrs. Currie *[holding answer 4 November 1988]:* The number of cases since the establishment of the Mental Health Act Commission in which a second-opinion-approved doctor has declined to issue a certificate under sections 57 or 58 of the Mental Health Act 1983 is not known.

For the two year period 1 July 1985 to 30 June 1987, there were 5845 "second opinions" given under section 58 of the Mental Health Act 1983 and 54 "second opinions" given under section 57.

In 4 to 6 per cent. of the cases a certificate was not issued. The reasons for non-issue of certificates are not available.

SOCIAL SECURITY

Attendance Allowance

Mr. Frank Field: To ask the Secretary of State for Social Security if he will place in the Library copies of all the standard letters used by his Department in turning down claims for the attendance allowance.

Mr. Scott: Copies of the letters have been placed in the Library.

Unclaimed Benefits

Dr. Reid: To ask the Secretary of State for Social Security how much of the total social security and benefits entitlement was left unclaimed in the past year.

Mr. Peter Lloyd: No precise estimates of total unclaimed benefits can be provided and those figures which the Department does publish give no more than the broadest orders of magnitude. I refer the hon. Member to paragraphs 21 to 25 and table 15.17 on pages 272 to 273 of Cm. 288 (the 1988 Public Expenditure White Paper) for details of the latest available take-up estimates for the main income-related benefits. Take-up estimates for 1985 should be available by around the end of this year.

Retirement Pensions

Mr. Adley: To ask the Secretary of State for Social Security how many additional persons are qualified to receive and are in receipt of retirement pensions now, compared with 1979.

Mr. Peter Lloyd: In 1979, 8·8 million pensioners were in receipt of basic retirement pension. By March 1988 this figure had risen to 9·8 million. This represents an increase over the period of 11·4 per cent.

Forms (Welsh Language)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security whether he intends to review the procedures at local offices in Wales to ensure that *(a)* claimants are made aware of the fact that certain forms are available in the Welsh language or in a bilingual form and *(b)* that local offices keep a sufficient supply of these forms to meet demand.

Mr. Peter Lloyd: Officials are undertaking a review of all aspects of the provision of forms in the Welsh language in the light of the 1988 social security reforms and the Department's communications strategy. This will include consideration of publicity and supply arrangements.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security if he will list the forms which are available in a bilingual form at local offices in Wales by reference to the nature of the benefit claimed.

Mr. Peter Lloyd: The Department does not produce bilingual forms.

The following list contains all the forms currently available, or in preparation, in Welsh.

Family Credit—FC1 and FC2 (with printers)
Social Fund—SF100, SF200, SF101, SF102, Sf103 and SF113
General—BF134
National Insurance—NI255 and RD3A

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security whether he will review the adequacy of the provision of forms in the Welsh language at local offices in Wales and in particular forms of application for sickness benefit.

Mr. Peter Lloyd: Officials are undertaking a review of the arrangements for producing Welsh language versions of some of those social security forms for local offices in Wales.

A Welsh language version of application form SC1, for sickness benefits, is not available. The great majority of claims are for statutory sick pay and are handled by employers.

Family Credit

Mr. Nicholas Baker: To ask the Secretary of State for Social Security what action he is taking to reduce delays in dealing with applications for family credit.

Mr. Peter Lloyd: In recent weeks clearance of some claims has been delayed by the effects of the postal strike: prior to that the average time taken to deal with a claim was very near our target of 18 working days. Action already taken to reduce delays includes an extension of the arrangements for identifying cases which should be given priority because the claimant or partner has just started work after being on income support.

Delays often occur because of the need to obtain further information from claimants or whilst awaiting earnings information from employers. We are looking at possible improvements both to the claim form to try to ensure that all the required information is provided at the outset, and to the inquiry form about earnings sent to employers. We shall shortly be laying amending regulations to provide for relaxations in the rules about the acceptability of accounts in claims from self-employed people which should enable them to supply information about their earnings more easily and more quickly.

Enhancements to the family credit computer system will become available in the new year and will improve routines and provide more information for management control purposes.

Income Support

Mr. Gordon Brown: To ask the Secretary of State for Social Security if the amount included in the income support personal allowances for compensating for 20 per cent. community charge contribution is based on the average liability for income support claimants; and how this amount differs from the average community charge as a whole.

Mr. Peter Lloyd: We are satisfied that the amounts included in the 1989-90 income support rates as compensation for 20 per cent. of the community charge are adequate to meet the average liability faced by single claimants under 25, and by couples. For single claimants over 25 compensation is more than adequate. These amounts are likely to be somewhat higher than the average community charge faced by the population as a whole.

Private Residential Care Accommodation

Mr. Jack Thompson: To ask the Secretary of State for Social Security what is the estimated cost to his Department of the provision of private residential care accommodation *(a)* nationally and *(b)* in the county of Northumberland for each of the years 1980 to 1987.

Mr. Peter Lloyd: Separate figures for those independent residential care homes which are run privately are not collected either nationally or on a regional basis.

Social Fund

Mr. Ralph Howell: To ask the Secretary of State for Social Security if he will make a statement on the operation of the social fund.

Mr. Peter Lloyd: The social fund has now been operating satisfactorily for over seven months. Social fund

loans have been steadily increased as more people have become aware of the flexible and effective help which is available through budgeting loans to enable them to spread the cost of large expenses which are difficult to meet from weekly benefit, and through crisis loans for those facing an extreme short-term financial difficulty. About 60 per cent. of all budgeting loan applications and almost 90 per cent. of crisis loan applications have resulted in a payment being made.

The take-up of community care grants has been slower, (in September it was 52 per cent. of profiled expenditure) though there has been a steady increase in applications over recent months as more people have become aware of the special contribution that these new grants provide, both to help people in vulnerable groups re-establish themselves in the community and to improve the living conditions of those already in the community and reducing the risk of their going into institutional or residential care. Awards have been made for about 45 per cent. of applications; unfortunately many people who have applied have not satisfied the basic criteria for community care grants (ie not on income support). We are currently considering what further steps might need to be taken to ensure that those people for whom the grants are intended are made aware of their availability and are encouraged to apply.

The review system is proving to be a quick and effective way of reconsidering disputed decisions on social fund applications. About 20 per cent. of people who are refused a payment have been exercising their right to ask for a review in the local office and about 29 per cent. of review decisions have resulted in the original decision being changed. Applicants who remain dissatisfied have the right to ask for a further review by a social fund inspector. The figures show that in about two-thirds of cases which have reached the social fund inspectors the decision on the review conducted in the local office has been confirmed. In about one-third of cases the social fund inspectors have referred the papers back to the local office for reconsideration or further action as appropriate.

I have arranged for national tables to be placed in the Library showing for the latest month available, and the year to date, the numbers of applications received, applications processed, the outcome of decisions and data on the review procedure. These will be updated monthly. Copies of this information are held at the Department's libraries where they may be viewed by appointment. Two copies are deposited with the British Library, one of which may be borrowed by other libraries for inquiries; the other copies may be consulted at the British Library. Microfiche copies may be purchased from Messrs. Chadwyck-Healey of Cambridge.

Mr. Frank Field: To ask the Secretary of State for Social Security if he will publish national and regional figures on the take-up to date of community care grants and crisis loans from the social fund; if he will state for each region and the nation as a whole what percentage of the annual budgeted totals for community care grants and crisis loans these payments represent, for each region and the nation as a whole and what percentage of the total monthly budgets for community care grants and crisis loans to date these payments represent; and if he will place these figures in the Library on a monthly basis from the present time.

Mr. Peter Lloyd *[holding answer 4 November 1988]:* I refer the hon. Member to my reply to my hon. Friend the Member for Norfolk, North (Mr. Howell) today.

From now on we shall be making available national summary tables of social fund data which will be updated monthly. There is not a separate budget for crisis loans; however the tables show expenditure separately for both budgeting loans and crisis loans from which it is possible to calculate total loans expenditure as a percentage of the annual loans budget. Expenditure nationally as a percentage of national monthly profiled expenditure can be calculated by reference to the national profile of expenditure held in the Library. We do not propose to publish aggregated data for the seven social security administrative regions; however details of the allocations to, and expenditure by, individual local offices, listed by region, are in the Library.

Transitional Payments Unit

Mrs. Beckett: To ask the Secretary of State for Social Security whether he will publish in the *Official Report* a table showing, for each month since the transitional payments unit was set up, the number of *(a)* applications received, *(b)* inquiry forms issued to local authorities, *(c)* inquiry forms returned by local authorities, *(d)* transitional payments assessed, *(e)* applicants found to have no entitlement to transitional payments, *(f)* declaration forms issued to applicants, *(g)* declaration forms returned and *(h)* Giro cheques issued and their total value.

Mr. Peter Lloyd *[holding answer 27 October 1988]:* The table provides statistical information on housing benefit transitional payments, showing the cumulative position on the last working day of each month.

	July	*August*	*September*	*October*
Applications received	135,433	267,009	316,473	359,866
Enquiry forms issued to local authorities	91,364	222,127	310,227	355,887
Enquiry forms returned by local authorities	11,359	88,620	153,687	256,639
Transitional payments assessed	8,434	69,498	117,638	235,753
Applications refused	4,021	24,529	47,514	114,116
Declaration forms issued	4,413	44,969	69,104	112,578
Declaration forms returned	568	21,191	42,302	96,315
Payments issued	68	7,219	31,522	108,140
Total cash value £	285	32,555	132,820	439,921

Lone Parents

Mr. Robin Cook: To ask the Secretary of State for Social Security what research his Department has undertaken or sponsored on the impact of the availability of social security benefits on the behaviour of *(a)* young single parents and *(b)* married men seeking separation from their wives.

Mr. Peter Lloyd *[holding answer 7 November 1988]:* The number of lone parents receiving supplementary benefit increased from 318,000 to 659,000 between 1979 and 1987 (excluding cases of temporary separation and prisoners' wives). The number of unmarried lone parents receiving supplementary benefit increased during this period from 96,000 to 268,000. In contrast the value, in 1987 terms, of the total amount of maintenance payable to claimants has remaind static. Independent research which we have commissioned is exploring the motivations and perceptions of lone parents receiving benefit. We will continue to examine the connections between benefits and behaviour.

Child Benefit

Mr. Raison: To ask the Secretary of State for Social Security at what level the latest public expenditure projections for 1990-91 and 1991-92 assume an uprating of child benefit.

Mr. Peter Lloyd *[holding answer 7 November 1988]:* The new public expenditure plans include provision for uprating child benefit in line with the increases in prices in April 1990 and April 1991. For this purpose the retail prices index is assumed to rise by 5·5 per cent. for the uprating in 1990-91 and four per cent. for the uprating in 1991-92. However the actual level of child benefit in April 1990 and April 1991 will be decided by my right hon. Friend the Secretary of State following the review which he is required to conduct each year.

THE ARTS

Paintings (Sales)

Mr. Faulds: To ask the Minister for Arts why he did not reply, before the House adjourned on 29 July for the recess, to the priority question addressed to him by the hon. Member for Warley, East for answer on 22 July; and whether he will now answer the second part of that question by indicating any bodies or individuals, other than the trustees and directors of the National gallery, the Tate gallery and the National Portrait gallery, whose opinions he would regard as relevant and of value on the subject of imposition by statute of powers to sell paintings vested in them on the trustees of those three particular institutions.

Mr. Luce: I much regret that, due to an administrative oversight, I did not reply to this question before the House adjourned on 29 July.

I published a consultative paper on disposal powers of national museums and galleries on 5 August this year. It has been circulated to a wide variety of museum, gallery and heritage interests for comment. I shall give careful consideration to the views of all interested parties.

SCOTLAND

Hospital Waiting Lists

19. **Mr. Conway:** To ask the Secretary of State for Scotland what progress he is making in reducing hospital waiting lists in Scotland; and if he will make a statement.

Mr. Michael Forsyth: Over the last two years my right hon. and learned Friend has allocated an extra £6·6 million to reduce hospital waiting lists and waiting times. By March 1988 the number of people waiting for in-patient treatment fell by around 5 per cent. This year it will be possible for 30,000 extra out-patients to be seen or have tests done, 8,600 extra in-patients to be treated and 3,760 extra day cases to be treated.

YTS

20. **Mr. McKelvey:** To ask the Secretary of State for Scotland if he will make a statement about the implementation of the YTS guarantee in Scotland.

Mr. Lang: There are more YTS places currently available in Scotland than young people on bridging allowance. The Government expect that a YTS place will be found for all summer school leavers before their entitlement to child benefit expires.

Rent Arrears

21. **Dr. Reid:** To ask the Secretary of State for Scotland what representations he has received regarding the level of rent arrears in Scotland from Motherwell district council or other Scottish local authorities.

Lord James Douglas-Hamilton: My right hon. and learned Friend and I have received a number of representations from local authorities about various aspects of housing finance.

CBI

22. **Mr. Oppenheim:** To ask the Secretary of State for Scotland what recent discussions he has had with the Confederation of British Industry in Scotland concerning the Scottish economy.

Mr. Lang: My right hon. and learned Friend keeps in frequent touch with the Confederation of British Industry in Scotland on matters affecting the Scottish economy. His recent discussions have covered, among other things, the imaginative proposals for Scottish Enterprise advanced by the chairman of the CBI (Scotland).

46. **Sir Hector Monro:** To ask the Secretary of State for Scotland when he next intends to have a meeting with the chairman of the Confederation of British Industry (Scotland) to discuss the prospects for the Scottish economy.

Mr. Rifkind: I have frequent contacts with the chairman on a range of industrial and economic issues, including most recently the proposals for Scottish Enterprise which he has advanced. I look forward to a continuing exchange of views on these and other issues.

Community Care

23. **Mr. Tom Clarke:** To ask the Secretary of State for Scotland what recent representations he has received on the report by Sir Roy Griffiths, "Community Care: Agenda for Action"; and if he will make a statement.

Mr. Michael Forsyth: In addition to the organisations listed in my reply to the hon. Gentleman on 29 June 1988 representations have now been received from the following bodies:

Age Concern (Scotland)
Borders Health Board

Forth Valley Health Board
Highland Health Board
Licensed Victuallers National Homes
Renfrew District Disability Council
Scottish Action on Dementia
Scottish Consumer Council
Scottish Health Service General Managers Group
Volunteer Development Scotland
West Lothian Mental Health Forum

Mentally Handicapped People

24. **Dr. Moonie:** To ask the Secretary of State for Scotland what action he proposes to improve the position of community care for mentally handicapped people in Scotland.

Mr. Michael Forsyth: Decisions about the provision of services in the community for people suffering from mental handicap are primarily for health boards and local authorities. Since 1979 we have substantially increased the resources available resulting in a considerable upturn in the level of services in the community for this group notably in day care and residential provision which have increased by 53 per cent. and 60 per cent. respectively. The funding and organisation of community care are under consideration in the light of the report prepared by Sir Roy Griffiths and the Government will bring forward proposals in due course.

Glasgow

25. **Mr. Devlin:** To ask the Secretary of State for Scotland what level of Government resources have been devoted to Glasgow since 1979; and if he will make a statement.

Mr. Rifkind: It is impractical to list the very substantial resources that many Government Departments and agencies have devoted to Glasgow—either directly or indirectly—in this period, though the results of generous Government funding are plain to see in the city. Within my own responsibility I draw particular attention to rate support grant payments, housing grants, and expenditure by the Scottish Development Agency and by the greater Glasgow health board.

	(1) Total rate support grant paid to Glasgow District Council	*(2) Housing grants*	*(3) Scottish Development Agency*	*(4) Greater Glasgow Health Board*
	£ million	*£ million*	*£ million*	*£ million*
1979-80	34·223	67·126	n.a.	242·375
1980-81	41·886	91·752	n.a.	321·874
1981-82	38·195	102·909	20·2	364·144
1982-83	43·610	109·484	18·2	387·827
1983-84	44·578	109·813	23·3	410·620
1984-85	40·753	112·993	26·4	440·251
1985-86	42·673	111·156	26·1	459·046
1986-87	38·393	105·573	33·1	479·896
1987-88	44·036	103·598	39·3	522·819

Notes:
Column (1) The figures are the latest estimates available.
Column (2) The figures include housing support grant, housing association grant, Scottish Special Housing Association expenditure and housing improvement etc. specific grants.
Column (3) The figures for 1984-85 to 1987-88 include spending on the Garden festival.

Council House Sales

26. **Mr. Knox:** To ask the Secretary of State for Scotland how many council houses were sold to sitting tenants in Scotland between May 1979 and June 1983, between June 1983 and June 1987 and since June 1987.

Lord James Douglas-Hamilton: The numbers of dwellings sold by Scottish local authorities to sitting tenants in the periods from May 1979 to June 1983 and from July 1983 to June 1987 were 26,768 and 45,514 respectively. A further 17,828 sales in the period from July 1987 to 30 June 1988 have been reported to date.

27. **Mr. Hayward:** To ask the Secretary of State for Scotland how many council houses have been sold in Scotland since 1979; how many applications have been received since October 1987; and if he will make a statement.

Lord James Douglas-Hamilton: Returns received to date from local authorities record 90,110 sales of council houses to sitting tenants between April 1979 and June 1988. The number of applications received between October 1987 and September 1988 was 44,292. The recent and sustained surge in applications and sales, which are making a major contribution to the diversification of ownership, is further evidence of the success of the Government's right-to-buy policy.

Campaign for a Scottish Assembly

28. **Mr. Galloway:** To ask the Secretary of State for Scotland what representations he has received on the proposals in the Campaign for a Scottish Assembly's document, "Claim of Right for Scotland"; and if he will make a statement.

Mr. Rifkind: I have received two letters including one from the Campaign for a Scottish Assembly itself. The reply to the campaign made clear the Government's commitment to the unity of the United Kingdom and our belief that the present constitutional arrangements provide for Scotland's interests to be fully respected and recognised.

SSHA (House Sales)

29. **Mr. Ron Brown:** To ask the Secretary of State for Scotland how many Scottish Special Housing Association houses have been sold to tenants in the last 12 months; and if he will make a statement.

Lord James Douglas-Hamilton: In the year to 30 September 1988, the Scottish Special Housing Association sold 5,150 houses bringing its total sales under the Government's right-to-buy policy to 22,640.

Nurses (Pay)

30. **Mr. Arbuthnot:** To ask the Secretary of State for Scotland what is the current situation regarding nurses' pay in Scotland; and if he will make a statement.

Mr. Michael Forsyth: In common with the rest of the country, nurses' pay in Scotland now stands at its highest ever level in real terms, having increased by nearly 44 per cent. since 1979. Over 60,000 nurses are being assimilated into the new clinical grading structure and will receive

increases ranging from 4 per cent. to over 33·6 per cent. this year. Health boards are being funded to meet the full cost.

National Farmers Union

31. **Mr. Maclennan:** To ask the Secretary of State for Scotland when he last met representatives of the National Farmers Union of Scotland; and what matters were discussed.

Mr. Michael Forsyth: My right hon. and learned Friend last met the president of the union at the royal highland show on 21 June. The discussion covered a wide range of issues concerning Scottish agriculture. My noble Friend the Minister of State has regular meetings with union representatives to discuss issues of current concern. The most recent of these meetings was on 26 September.

Nurses (Regrading)

32. **Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland what plans he has to deal with appeals following the nurse regrading exercise.

Mr. Michael Forsyth: Appeals will be a matter for employing authorities to deal with under the agreed procedures for settling differences between employing authorities and individual employees.

Scottish Council (Development and Industry)

33. **Mrs. Margaret Ewing:** To ask the Secretary of State for Scotland when he expects to meet representatives of the Scottish Council (Development and Industry); and what matters he proposes to discuss.

Mr. Lang: My right hon. and learned Friend has frequent discussions with the Scottish Council on a range of industrial and economic issues. He looks forward to a continuing exchange of views.

Scottish TUC

34. **Mr. Salmond:** To ask the Secretary of State for Scotland when he next expects to meet officials from the Scottish Trade Union Congress; and what matters he proposes to discuss.

Mr. Lang: I have agreed to a recent request from the Scottish Trade Union Congress for a meeting to discuss matters affecting the Scottish economy. A date is being arranged.

Salmon Fishing

35. **Mr. Wallace:** To ask the Secretary of State for Scotland when he last met the Crown Estate Commissioners to discuss the development of salmon farming in Scotland.

Lord James Douglas-Hamilton: My right hon. and learned Friend has had no such recent meetings recently, but I met the First Crown Estate Commissioner on 28 June.

Balbirnie House

36. **Mr. McLeish:** To ask the Secretary of State for Scotland if he will make a statement on the sale of Balbirnie house and grounds to Balbirnie House Hotels Ltd. by Glenrothes new town development corporation.

Mr. Lang: Formal approval to the projected detailed terms of the sale was given by my right hon. and learned Friend on 25 October. Since the matter is still the subject to commercial negotiation, I cannot comment further at this stage.

Scottish Development Agency

37. **Mr. Favell:** To ask the Secretary of State for Scotland if he has any plans to alter the operation of the Scottish Development Agency.

Mr. Lang: My right hon. and learned Friend intends to publish a consultative paper before Christmas about proposals for a new approach to training and enterprise creation, bringing together the work of the Scottish Development Agency and the Training Agency in Scotland.

Manufacturing Output

38. **Mr. Jack:** To ask the Secretary of State for Scotland what was the level of manufacturing output per employee in Scotland in 1987; and if he will make a statement.

Mr. Lang: In 1987 the level of manufacturing output per employee in Scotland was 55 per cent. higher than in 1979. Indeed between 1979 and 1987 manufacturing productivity in Scotland increased by 5·6 per cent. per annum, faster than that achieved in any of the major seven OECD economies.

Borders Region

39. **Mr. Steel:** To ask the Secretary of State for Scotland what representations he has received from the Borders regional council concerning the possibility of European Community assistance for the Borders region.

Mr. Rifkind: Borders regional council have asked for a case to be presented to the European Commission in support of their claim for Community assistance as a rural area. Their claims, and those of other non-assisted rural areas, will be considered by the Government once the new regulations and procedures governing the Community's structural funds have been finalised. However, funds available for rural areas will be limited, and concentration on the most needy areas will be necessary.

Rent and Rates Arrears

40. **Mr. McTaggart:** To ask the Secretary of State for Scotland when he next intends to meet the Convention of Scottish Local Authorities housing committee to discuss the level of rent and rates arrears in Scotland.

Lord James Douglas-Hamilton: My right hon. and learned Friend has no plans to do so but I expect to meet representatives of the convention's housing committee on 2 December to discuss various aspects of housing finance.

Argyll and Clyde Health Board

41. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland when he last met the chairman and representatives of the Argyll and Clyde health board; and what matters were discussed.

Mr. Michael Forsyth: My right hon. and learned Friend has not met the chairman and representatives of Argyll and Clyde health board. I regularly meet the chairmen of all health boards jointly.

Royal Ordnance (Bishopton)

42. **Mr. Graham:** To ask the Secretary of State for Scotland if he has been in contact with British Aerospace over the proposed rundown of the Royal Ordnance factory at Bishopton; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend has written to the chairman of British Aerospace suggesting a meeting to discuss British Aerospace interests in Scotland generally. I have written separately to the chairman of Royal Ordnance requesting further details of how the company intends to help minimise the effects of the proposed rundown at Bishopton.

SSHA

43. **Mr. Allen Adams:** To ask the Secretary of State for Scotland what representation he has received on his proposals relating to the future of the Scottish Special Housing Association.

Lord James Douglas-Hamilton: The Government's view of the future of the Scottish Special Housing Association was set out in CM 242 ("Housing: The Government's Proposals for Scotland"). It proposed that the association's responsibilities for housing in Scotland should be taken over by Scottish Homes. The wide range of views submitted on these proposals were fully debated at various stages of consideration of the Housing (Scotland) Act 1988.

Uniform Business Rate

44. **Mr. Worthington:** To ask the Secretary of State for Scotland to what extent the introduction of a uniform business rate in Scotland is contingent on the full harmonisation of valuation practices in England and Wales and Scotland.

Mr. Lang: Our purpose is to achieve, at the earliest opportunity, fairness for Scottish business ratepayers and protection from the depredations of high-spending local councils. We have made it clear we see advantage in moving to a common non-domestic poundage in all areas but recognise that this first requires harmonisation of valuation practice north and south of the border in order to avoid perpetuating many of the anomalies about which Scottish businessmen are understandably concerned.

Pre-school Nurseries

45. **Mr. Michael J. Martin:** To ask the Secretary of State for Scotland if he intends to give any guidance to local authorities as to the financial provision they should make for pre-school nurseries.

Mr. Michael Forsyth: In the calculation of the planning figure for education included in the rate support grant settlement, an allowance of £35·5 million was made for nursery education. It is, however, for individual authorities to determine the level of spending on particular services, within the resources available, having regard to local priorities. I have no wish to limit their discretion in this matter.

Tayside (Crime Statistics)

47. **Mr. Bill Walker:** To ask the Secretary of State for Scotland if he will give details of the latest crime figures for Tayside.

Lord James Douglas-Hamilton: In the first eight months of 1988 43,459 crimes and offences were recorded in Tayside, compared with 43,527 in the same period of 1987. This is a decrease of 0·2 per cent. Further details are given in the table.

Crimes and Offences Recorded by the Police in Tayside

Crime Category	*January to August 1987*	*January to August 1988*	*Percentage increase + or decrease −*
Non-sexual crimes of violence	651	723	+11·1
Crimes of indecency	287	289	+0·7
Crimes of dishonesty	16,187	15,179	−6·2
Fire-raising, malicious and reckless conduct	4,526	3,871	−14·5
Other crimes	1,540	2,052	+33·2
Total crimes	23,191	22,114	−4·6
Miscellaneous offences	5,192	5,565	+7·2
Offences relating to motor vehicles	15,144	15,780	+4·2
Total offences	20,336	21,345	+5·0
Total crimes and offences	43,527	43,459	−0·2

Tenants' Rights

48. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland what steps he has taken to ensure that the statutory rights available to public sector tenants in Scotland will also be made available to private sector Scottish tenants.

Lord James Douglas-Hamilton: My right hon. and learned Friend has always accepted that the rights of private and public sector tenants should be comparable so far as possible given their different circumstances. This will be achieved for the future by part II of the Housing (Scotland) Act 1988, which will revitalise the private rented sector and will, for example, give the private tenant a right to a writen statement of the terms of the tenancy and a right of protection against harassment, arbitrary

eviction, and the exaction of key money. A booklet explaining these and other tenants' rights will be widely available.

Education Reform

49. **Mr. McAllion:** To ask the Secretary of State for Scotland if he intends to introduce legislation in the next Session of Parliament which will allow primary and secondary schools in Scotland to opt out of local education authority control.

Mr. Michael Forsyth: Our legislative intentions for the next Session of Parliament will be announced in due course in the usual way.

Scottish Transport Group

50. **Mr. Wilson:** To ask the Secretary of State for Scotland if he will make a statement on the progress of the proposed privatisation of the Scottish Transport Group.

Lord James Douglas-Hamilton: My right hon. and learned Friend hopes shortly to annouce the detailed pattern of privatisation in terms of the units to be offered for sale in the Scottish Transport Group's main subsidiary, the Scottish Bus Group. My right hon. and learned Friend is presently considering the future arrangements for Caledonian MacBrayne Ltd.

Rating Reform

51. **Mr. Strang:** To ask the Secretary of State for Scotland what representations he has received on the certification procedures to determine whether a person's mental impairment is sufficiently severe to enable him or her to be exempt from the poll tax; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend has received a number of comments on this matter from Members of Parliament and members of the public.

A consultation paper on procedures for identification of those who may be exempt was issued to interested bodies by the Scottish Office on 22 October 1987. A further consultation paper, issued on 16 August 1988, sought views on the requirements for certain benefit entitlements in respect of the exemption. The responses to these consultation papers were taken carefully into account before the promulgation of recommended procedures in NHS circular 1988(GEN)25 and the making of the Personal Community Charge (Exemption for the Severely Mentally Impaired) (Scotland) Regulations 1988.

Educational Institute of Scotland

52. **Mr. Foulkes:** To ask the Secretary of State for Scotland when he last met the general secretary of the Educational Institute of Scotland; what subjects were discussed; and if he will make a statement.

Mr. Michael Forsyth: My right hon. and learned Friend last met the general secretary of the Educational Institute of Scotland in December 1986 in relation to negotiations following the report of the Main committee of inquiry into the pay and conditions of school teachers in Scotland.

Ferry Transport (Privatisation)

Mr. Barry Field: To ask the Secretary of State for Scotland what progress is being made on the privatisation of ferry transport in Scotland.

Lord James Douglas-Hamilton: My right hon. and learned Friend is presently considering the report of the economic consultants, Pieda who were commissioned to advise him on the future arrangements for Caledonian MacBrayne.

Staffed Beds (Glasgow)

Mr. Wray: To ask the Secretary of State for Scotland how many patients were refused hospitalisation in the Greater Glasgow area due to the shortage of available staffed beds, for each year since 1985.

Mr. Michael Forsyth: Patients who require emergency treatment are admitted to hospital immediately if their condition requires this. Patients who require non-emergency elective treatment are admitted according to the severity of their condition and other factors. On occasion, hospitalisation may be deferred if an emergency case requires higher priority. Industrial action in protest at boards' plans for competitive tendering has resulted in 3,491 operations being cancelled this year.

Social Work Assessed Need

Sir Russell Johnston: To ask the Secretary of State for Scotland what is the social work assessed need per head of population for Strathclyde, Borders, Lothian and Highland regions, expressed in pounds sterling.

Mr. Lang: The figures requested are set out in the table.

Social work assessed need (per head)

	1989-90 £
Borders	79
Highland	72
Lothian	84
Strathclyde	96

NATIONAL FINANCE

Charitable Donations

Mr. Chris Smith: To ask the Chancellor of the Exchequer what was the cost to the Treasury of introducing relief for charitable donations through payroll deduction schemes in 1986-87, 1987-88 and for the first six months of 1988-89; and how much of the cost was attributable to such donations to professional arts organisations with charitable status.

Mr. Norman Lamont: Relief for charitable donations through payroll deduction schemes came into operation in April 1987. The estimated cost of the relief in 1987-88 was about £300,000. Information for 1988-89 is not yet available and no information is available on how much of the donations went to professional arts organisations.

Mortgages

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the amount of mortgage interest relief claimed in respect of mortgages which have been raised for purposes other than the buying of a home.

Mr. Norman Lamont: I refer the hon. Member to the reply which I gave him on 29 July at column *733*. Following the abolition of relief on home improvement loans taken out from 6 April 1988, the Inland Revenue will be concentrating on checking on home purchase loans.

Disaggregation of Income

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) further to his written reply of 19 October concerning higher-rate taxpayers, whether he will publish in the *Official Report* a table showing for a married couple without wife's earnings his estimate of the number of wives in each income band with investment income and the average amount of such income together with his estimate of the cost, in terms of (i) higher-rate and (ii) basic rate tax in 1988-89 of disaggregating the wife's income from that of her husband for tax purposes;

(2) further to his written reply of 19 October concerning higher-rate taxpayers, whether he will publish in the *Official Report* a table showing for married couples *(a)* with wife's earnings and *(b)* with no earnings election, his estimate of the number of wives in each income band with investment income and the average amount of such income together with his estimate of the cost in terms of (i) higher-rate and (ii) basic rate tax, of disaggregating the wife's income from that of her husband for tax purposes;

(3) if, further to his written reply of 19 October concerning higher-rate taxpayers with a wife's earnings election, he will provide for each income band figures showing the numbers and average amount of investment income held by each spouse together with the cost to the Revenue in 1988-89 of disaggregating the wife's investment income from that of her husband for charging higher-rate tax; and if he will distinguish the cases where liability for higher-rate tax falls only on (i) the husband, (ii) the wife and (iii) both;

(4) whether he will publish in the *Official Report* a table showing the numbers of earning and non-earning married women with investment income by range of total income of the married couple in cases where neither spouse is paying higher rate tax.

Mr. Norman Lamont: Available estimates are in the tables. All estimates are provisional and subject to a wide margin of error because they are based on a projection of the 1985-86 survey of personal incomes and the coverage of investment income in the survey is incomplete. In some cases, investment income on which basic rate liability is satisfied by deduction at source is not reported. No reliable estimates can be given for wives where the total income of the married couple is less than £5,000. Further information could be provided only at disproportionate cost.

Table 1

Higher rate taxpayers—Married couples without wife's earnings 1988-89

Range of total income of married couple (lower limit) £ p.a.	*Number of wives with investment income* '000	*Amount of investment income* £ million	*Average amount of investment income* £ p.a.
20,000	10	10	1,210
25,000	40	40	1,050
30,000	40	40	1,140
35,000	30	40	1,370
40,000	30	90	2,480
50,000	50	170	3,330
All	200	390	1,910

Table 2

Higher rate taxpayers—Married couples with wife's earnings and no earnings election 1988-89

Range of total income of married couple (lower limit) £ p.a.	*Number of wives with investment income* '000	*Amount of investment income* £ million	*Average amount of investment income* £ p.a.
20,000	—	—	—
25,000	90	70	710
30,000	120	90	730
35,000	40	40	880
40,000	30	50	1,620
50,000	40	180	4,840
All	320	430	1,320

Table 3

Higher rate taxpayers[1]—with wife's earnings election 1988-89

	Wives with investment income			*Husbands with investment income*		
Range of total income of married couple (lower limit) (£ per annum)	*Number of wives with investment income (thousands)*	*Amount of investment income (£ million)*	*Average amount of investment income (£ per annum)*	*Number of husbands with investment income (thousands)*	*Amount of investment income (£ million)*	*Average amount of investment income (£ per annum)*
20,000	—	—	—	—	—	—
25,000	—	—	—	—	—	—
30,000	10	10	820	10	20	1,640
35,000	30	20	670	30	70	2,450
40,000	30	30	920	40	80	2,280
50,000	50	140	2,950	60	510	8,070
All	120	200	1,650	140	680	4,860

[1] Married couples and single people.

Table 4

Married couples where wife has investment income and neither spouse pays higher rate tax 1988-89

Range of total income of married couple (lower limit) (£ per annum)	*Number of earning wives with investment income (thousands)*	*Number of non-earning wives with investment income (thousands)*
5,000	480	1,070
10 000	2,380	1,440
20,000	920	180
30,000	110	—
50,000	—	—
All	3,890	2,690

Pensions

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether the state pension for wives and the pension of a widow based on an occupational pension is treated as earned income for income tax purposes; and if he will publish in the *Official Report* his estimate of the number of earning and non-earning wives with income in 1988-89 by range of wife's total income up to the level of the personal allowance and thereafter by steps of £1,000 from £3,000 to £10,000 and subsequent steps to £50,000.

Mr. Norman Lamont: National insurance retirement pensions for wives and occupational pensions are both treated as earned income for tax purposes. Available estimates are in the tables. They are based on a projection of the 1985-86 survey of personal incomes and are therefore provisional.

Distribution of wives total income, 1988-89

(thousands)

Range of total income[1] of wife (lower limit) £ pa	*Number of earning wives[2]* '000	*Number of non-earning wives[3]* '000
1	2,760	3,210
2,605	400	20
3,000	860	30
4,000	690	10
5,000	500	10
6,000	560	5
7,000	420	5
8,000	370	5
9,000	200	. .
10,000	540	5
15,000	110	5
20,000	50	5
30,000	20	. .
All ranges	7,480	3,315

[1] Wives' earnings plus wives' investment income.
[2] Excluding some wives with earnings below the PAYE reporting limit and self-employed wives making a net loss.
[3] Including some wives with earnings below the PAYE reporting limit and self-employed wives making a net loss.
. . Less than 3,000.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the revenue yield at current income and tax rates from withdrawing tax relief on the employee's actual and notional pension contributions for tax purposes; and if he will provide a comparable figure for the self-employed, including partnerships, and so on.

Mr. Norman Lamont *[holding answer 3 November 1988]:* The available information was given in my reply to the hon. Member on 29 July 1988 at column 494.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the annual pension contribution required by an employer and an employee, respectively, as a percentage of earnings to provide a pension equal to the maximum allowed under Inland Revenue rules in the event of all tax privileges being withdrawn; and if he will state the revenue yield from the withdrawal together with the revenue loss from exempting such pensions from tax on the basis that the amount of the pension is not excluded from taxable income in estimating liability to higher rate tax.

Mr. Norman Lamont *[holding answer 3 November 1988]:* I regret that estimates cannot be made on the basis of the information provided.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* his estimate of the proportion of single persons and married couples with a state pension who also have an occupational pension together with a table showing by income range the number in each case of those of less than pensionable age who made pension contributions under the national insurance scheme towards an occupational pension.

Mr. Norman Lamont *[holding answer 3 November 1988]:* I regret that this information is not available.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of *(a)* actual and *(b)* notional pension contributions made by employers for themselves and their employees in the current financial year together with his estimate of the direct revenue yield in each case from withdrawing relief for such contributions as a business expense; and if he will add his best estimate of the United Kingdom profits after tax out of which such payments would be made.

Mr. Norman Lamont *[holding answer 3 November 1988]:* The available information is as follows:

Estimated value for 1988-89 of employers' pension contributions to occupational pension funds

	£ billion
Funded schemes	7
Notionally funded schemes	2

If taxable profits were increased by the withdrawal of this relief and there were no behavioural effects the Revenue yield would increase by about £2 billion. The latest available figure of profits and tax are published in tables 5.1 and 6.2 of the national income Blue Book.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* tables showing by income band for single persons and one-earner and two-earner married couples the direct gain to the Revenue from, respectively, *(a)* abolishing the relief for the employees' pension contributions and *(b)* including as part of income the employer's pension contributions.

Mr. Norman Lamont *[holding answer 3 November 1988]:* I regret that the information is not available.

Income Tax

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will publish in the *Official Report* a table showing by range of total income the estimated number of one-earner and two-earner married tax units above and below pensionable age paying tax and their income tax liability in the current financial year on the basis of a transferable married allowance of £5,000 and a band of £3,000 at 15 per cent. followed by bands of £2,000 at 25 per cent., £7,500 at 35 per cent., £8,500 at 40 per cent., two bands of £9,000 at 45 and 50 per cent. and a band of £20,000 at 55 to a maximum rate of 60 per cent. on income in excess of £64,000, assuming that, apart from all other income tax allowances and reliefs are abolished;

(2) whether he will bring up to date at 1988-89 incomes the figures given in his reply dated 25 July 1986, *Official Report*, column *670*, for tax liabilities under an alternative regime for taxation of incomes, but increasing the nil-rate band for single persons to £2,500 and reducing that for married couples to £2,000, increasing the exempt allowance for marrieds to £3,000, reducing the 15 per cent. band for singles from £2,000 to £1,500, reducing the standard rate from 28 to 25 per cent. and the band to £7,250 for singles and £9,500 for married couples, respectively, increasing the rate of claw-back under *(c)* to 50 per cent. of total income above £5,000 and £10,000 for singles and marrieds, respectively, instead of 25 per cent. above £6,000 and £8,000, and excluding from the claw-back under *(d)* the relief for superannuation contributions and donations to charities.

Mr. Norman Lamont: I regret that the information could be provided only at disproportionate cost.

Domestic Credit

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will include in the *Official Report* a table showing the expansion of domestic credit in cash terms and as a percentage of M3 at the beginning of each period for each of the years 1980 to 1987 and for each quarter since the beginning of 1986; and if he will specify in each case the contribution made by the overseas sector.

Mr. Lilley: An article in the June 1983 Bank of England *Quarterly Bulletin* explained why domestic credit expansion was no longer an appropriate aggregate in changing monetary circumstances and why it would no longer be published. Prior to that time, data was established both in the Bank of England *Quarterly Bulletin* and in *Financial Statistics*.

Unearned Income

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the revenue yield in the current financial year of a tax surcharge equal to 10 per cent. of unearned income.

Mr. Norman Lamont: It is estimated that the direct revenue yield in a full year at 1988-89 levels of income of a 10 per cent. surcharge on investment income is £1·6 billion. The estimate takes no account of any behavioural changes that would follow the introduction of the surcharge. The estimate is based on a projection of the 1985-86 survey of personal incomes and is therefore provisional.

Double Taxation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the direct *(a)* gain and *(b)* loss to the Revenue from ending all double taxation agreements for (i) profits and (ii) personal income.

Mr. Norman Lamont: The estimates requested could only be made at disproportionate cost.

Investment Income

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether his estimates of the amount of tax paid on investment income are derived from the tax returns showing the investment income of husbands and wives separately.

Mr. Norman Lamont: Estimates of investment income are derived from a projection of the latest available survey of personal incomes. The information recorded in the survey uses details provided on tax returns where these are available. The tax return provides for details of the investment income of husbands and wives to be recorded separately. Where no up-to-date tax return is available for taxpayers covered by the survey, statistical estimates of investment income are made using other sources of data, such as the family expenditure survey.

Mortgage Interest Tax Relief

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* the number of cases concerning fraudulent claims for mortgage interest relief which have been prosecuted in each of the past three years and the current year to date, the amount of tax recovered, and the penalties exacted.

Mr. Norman Lamont: There were three criminal prosecutions by the police in 1987-88. There have been another three so far this year. Further prosecutions are pending. Tax and penalties are recovered by civil proceedings or settlements, but figures are not available for mortgage fraud investigations separate from other Inland Revenue investigations.

Taxation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer, further to his written reply dated 19 October concerning the rate of income tax in Germany, why he has converted the deutschmark figures into sterling at purchasing power parities; and if he will list in the *Official Report* the divisions of the United Kingdom retail prices index shown in table 18.2 of the monthly digest in cases where he has evidence that the level of German prices at the current rate of exchange is 30 per cent. higher than the level of United Kingdom prices.

Mr. Norman Lamont: Because purchasing power parities offer a more reliable guide than exchange rates in international comparisons of this sort. I regret that it is not possible to provide the information requested in the second part of the question.

Personal Taxation Statistics

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a

table showing by range of total income for single persons above and below pensionable age the number of tax units paying tax and their income tax liability on the basis of single allowance of £2,500 followed by tax bands of £1,500 at 15 per cent., £1,000 at 25 per cent., £6,250 at 35 per cent., three bands of £5,000 at 40, 45 and 50 per cent. and one band of £10,000 to a maximum of 60 per cent. at £36,250, assuming that all their allowances and reliefs are abolished apart from superannuation contributions and donations to charities.

Mr. Norman Lamont: I regret that the information could only be provided at disproportionate cost.

Corporation Tax

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will bring up to date the figures for receipts of corporation tax given in his written reply dated 6 April 1987, *Official Report*, column *83*, together with a forecast in each case for *(a)* receipts in 1988-89 and *(b)* the liability to tax arising out of profits earned in 1988; and if he will include an estimate of the revenue yield under *(a)* and *(b)* from an increase in the rate to 50 per cent.

Mr. Norman Lamont: The latest available estimates are as follows:

Receipts of Corporation Tax (CT)

£ million

	All companies and financial institutions[1]		*North Sea*	
	Total CT	*Of which ACT*	*CT*	*of which satisfied by setting off ACT*[2]
1985-86	10,708	3,794	2,911	1,080
1986-87	13,495	4,455	2,676	1,130
1987-88	15,734	4,939	1,355	730
[3]1988-89	19,700	5,800	1,400	800

[1] Including North sea companies.
[2] Liability to corporation tax arising in respect of North sea production may be satisfied by setting off ACT arising on dividends paid in previous periods in respect of both onshore and offshore activities. Dividends and ACT associated with North sea activities alone cannot be identified.
[3] Forecast.

Reliable estimates of liability to tax in 1988 are not yet available. Estimates of the revenue effect of changes in the main corporation tax rate for all companies and financial institutions are provided each year in table 4.5 of the autumn statement.

Allowances and Reliefs

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his reply dated 19 October concerning the direct revenue yield from abolishing allowances and reliefs, *Official Report*, column *933-34*, he will revise the figures to include the abolition of the wife's earned income allowance and to exclude the employee's superannuation contributions and donations to charities.

Mr. Norman Lamont: The reply to which the hon. Member refers gave estimates of the cost of increasing personal allowances by £100. I cannot therefore provide the information requested.

Chancellor of the Exchequer (Press Briefing)

Sir Barney Hayhoe: To ask the Chancellor of the Exchequer at what precise time he first became aware of reports in the Sunday press or on radio or television about his press or lobby briefing on Friday 4 November; and when he or his officials first rebutted what had been reported.

Mr. Lawson: On Sunday.

Customs and Excise

Mr. Patrick Thompson: To ask the Chancellor of the Exchequer what is the employment ratio between Her Majesty's Customs and Excise employees employed in preventive work and Her Majesty's Customs and Excise employees working in freight and passenger clearance duties.

Mr. Lilley *[holding answer 3 November 1988]:* In 1988-89 Customs and Excise planned deployments give a ratio of 1·07:1 between staff time on preventative work (including passenger control) and staff time on import freight clearance duties.

Wife's Earnings Election

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his reply dated 19 October, *Official Report*, columns 925-26, the number of tax units includes as one unit both husband and wife where a wife's earnings election is in operation.

Mr. Norman Lamont *[holding answer 4 November 1988]:* Yes.

VAT (Second-hand Businesses)

Mr. Dobson: To ask the Chancellor of the Exchequer (1) if he will list those commodities in which second-hand businesses may deal which *(a)* are zero-rated for value added tax purposes, *(b)* are exempt from value added tax, and *(c)* result in value added tax being paid on profits made from transactions rather than on total sale prices;

(2) if he will list those commodities in which second-hand businesses may deal on which value added tax is payable in full and on the sale price of the commodity rather than the profit made by its transaction;

(3) whether he will make a statement about the variety of value added tax positions facing second-hand businesses.

Mr. Lilley *[holding answer 7 November 1988]:* European Community VAT rules, to which the United Kingdom adheres, require tax to be charged on the full selling price of supplies of goods and services unless otherwise relieved. There is no general relief for second-hand goods. However, there are limited special schemes for certain second-hand goods under which tax is charged only on the seller's margin i.e. the difference between the buying and selling price. The commodities for which special schemes exist are:

second-hand cars;
works of art, antiques and collectors' pieces;
second-hand motor cycles;
second-hand caravans and motor caravans;
second-hand boats and outboard motors;
second-hand aircraft;
second-hand electronic organs;
second-hand firearms;
second-hand horses and ponies.

Commodities which are zero-rated or exempt when new remain so when sold second-hand.

Mr. Dobson: To ask the Chancellor of the Exchequer whether the European Commission is considering making any proposal for a general relief from value added tax for second-hand goods; and what is Her Majesty's Government's policy towards such a proposal.

Mr. Lilley *[holding answer 7 November 1988]:* In November 1987, the European Commission withdrew its proposal for a seventh VAT directive, which would have established a uniform system for second-hand goods. The Commission is expected to make a new proposal for a seventh directive; a United Kingdom position cannot be established until the details of any new proposal become known.

Mr. Dobson: To ask the Chancellor of the Exchequer whether he is taking any steps to promote a general relief from value added tax for second-hand goods throughout the European Community.

Mr. Lilley *[holding answer 7 November 1988]:* No.

EC (Funding)

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if the special payment made by Her Majesty's Government to the European Economic Community in respect of the budget overspend in 1987 and 1988 is incorporated in the estimates of net European Economic Community payments outlined in the paper issued in his Autumn Statement; and if he will make a statement.

Mr. Brooke *[holding answer 8 November 1988]:* I assume that my hon. Friend is referring to the intergovernmental agreement (IGA) to provide supplementary finance for the 1988 budget. The autumn statement projection of our net payments to Community institutions in 1988-89 includes our contributions to the IGA.

Written Answers to Questions

Thursday 10 November 1988

WALES

Autism

Mr. Win Griffiths: To ask the Secretary of State for Wales how many children and adults have been recorded as autistic by each local education authority; what special provision is made for them; and what contribution is made by his Department and by charitable bodies.

Mr. Wyn Roberts: This information is not available. School pupils in Wales have not been classified in accordance with categories of handicap since 1983 and further education students have never been so classified. LEAs must make provision for all school children with special educational needs in accordance with the Education Act 1981. This provision may include placement in one of the schools in the maintained sector in Wales which caters specifically for autistic children or, if appropriate, in one of the independent schools in England which are run by the National Autistic Society or local autistic societies. In securing adequate facilities for further education in their areas LEAs must have regard to the requirements of persons with learning difficulties.

Access Officers

Mr. Wigley: To ask the Secretary of State for Wales how many district councils in Wales have officially designated access officers to deal with matters relating to access for disabled people.

Mr. Grist: This information is not held centrally.

Advance Factories

Mr. Wigley: To ask the Secretary of State for Wales how much of the Welsh Office expenditure for 1989-90 has been earmarked for the construction of advance factories by the Welsh Development Agency; what resources were allocated for such purposes in 1988-89; and what was the actual expenditure under this heading for 1987-88.

Mr. Peter Walker: The information is as follows:

Gross spending on advance factories

£ million

1987-88	*1988-89 budget*
12·7	23·9

Consideration is still being given to the detailed allocation of Welsh Development Agency resources for 1989-90.

School Leavers

Mr. Wigley: To ask the Secretary of State for Wales if he will state *(a)* for the Dwyfor area and *(b)* for the Caernarfon area, how many of the 1988 school leavers were (i) in work, (ii) on YTS, and (iii) unemployed awaiting a date for the commencement of training schemes or full-time education, for the most recent available date.

Mr. Wyn Roberts: The destinations of 1988 school leavers known to the Gwynedd careers service are as follows:

	Caernarfon	*Dwyfor*
Employment	42	14
YTS	176	125
Unemployed (including those awaiting a YTS start date)	41	18

These are the latest figures available as at 13 October 1988. The careers service in Gwynedd attempts to contact every school leaver, but the results of this survey will not be known until the new year.

Sea Fishing

Mr. Wigley: To ask the Secretary of State for Wales who is responsible for the nomination of members of the north-western and north Wales sea fisheries committee; how many members are appointed by him, and how many by other Government Departments; and what steps he has taken to ensure that the committee as currently formulated is sufficiently responsive to the feelings and needs of those involved in sea fishing in Wales.

Mr. Peter Walker: Appointments to the north western and north Wales sea fisheries committee are made as follows:

Appointing body	*Number of appointments*
Dyfed County Council	2
Gwynedd County Council	2
Clwyd County Council	2
Cheshire County Council	3
Cumbria County Council	2
Lancashire County Council	3
Sefton Metropolitan Borough Council	2
Wirral Metropolitan Borough Council	2
Welsh Water Authority	1
North West Water Authority	1

In addition, 16 members are appointed jointly by myself and my right hon. Friend the Minister of Agriculture, Fisheries and Food. In making these appointments my right hon. Friend and I make every effort to ensure that members are acquainted with the needs and opinions of fishing interests in the district.

Tourism

Mr. Wigley: To ask the Secretary of State for Wales what responsibilities he has for tourism in Wales; and if he will make a statement.

Mr. Wyn Roberts: Our responsibilities and major objectives are intended to encourage tourism as part of our wider aim to stimulate economic activity in Wales. Tourism is a major provider of jobs and can make a significant contribution to maintaining the level of economic activity in areas traditionally dependent on tourism and broadening the economic base of less-developed areas. The major direct instrument of

Government policy is the Wales tourist board acting in conjunction with other statutory bodies through the various instruments of Government policy. We are particularly concerned to ensure the promotion of a healthy private sector tourist industry on which the future prosperity of many parts of Wales depends.

School Meals

Mr. Battle: To ask the Secretary of State for Wales if he will publish a table showing how much expenditure on school meals has changed in cash and real terms each year between 1979 and the latest date available for Wales.

Mr. Wyn Roberts: Expenditure on school meals and milk for the period requested is given in the table:

School Meals and Milk: Net Current Expenditure

Year	*Out-turn (£000)*	*1987-88 prices (£000)*
1979-80	26,066	45,766
1980-81	23,455	34,769
1981-82	24,303	32,796
1982-83	27,008	34,016
1983-84	27,772	33,455
1984-85	29,745	34,106
1985-86	28,535	31,043
1986-87	29,601	31,163

Cardiff Bay Barrage

Mr. Win Griffiths: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Bridgend of 19 July, *Official Report*, column *566*, when the environmental impact assessment report on the Cardiff bay barrage proposal will be placed in the Library.

Mr. Peter Walker: I understand that the environmental impact assessment is still being undertaken. A copy of the report will be placed in the Library by the promoters of the Cardiff Bay Barrage Bill as soon as it becomes available.

Psychiatric Nurses

Mr. Fearn: To ask the Secretary of State for Wales how many community psychiatric nurses are employed per 100,000 population in each health authority.

Mr. Grist: It is not practicable at the moment to distinguish separately community psychiatric nurses (mental illness) at the district health authority level. However the figure for all Wales is 6·3 nurses (whole-time equivalents) per 100,000 population.

District health authorities are, in conjunction with my officials, currently improving coding procedures to enable information on these nurses to be obtained in future.

NATIONAL FINANCE

Personal Incomes

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the percentage of total personal income taken by *(a)* direct taxes on households and *(b)* employees' social security contributions in the current financial year; and if he will provide corresponding figures for 1973.

Mr. Major: For 1973 direct taxes paid by the personal sector (both taxes on income and taxes on capital) were equivalent to 12·7 per cent. of personal sector income. Employees' social security contributions were 2·7 per cent. It is not the practice to publish forecasts of these for the current financial year.

Labour Statistics

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will state the number of employees for each nationalised industry, the Civil Service, local government, the Post Office and all other separate concerns in the public sector for 1979, 1984 and 1988.

Mr. Major: The information is as follows:

Number of employees—mid year (000's)

	1979	*1984*	*1988*
Nationalised industries[1]			
British Coal	294·9	246·8	116·8
British Railways	243·7	200·8	150·6
British Shipbuilders[2]	82·5	48·6	6·5
British Steel	184·2	70·0	53·2
British Waterways Board	3·2	3·2	2·9
Civil Aviation Authority	7·5	7·0	6·2
Electricity Council (England and Wales)	159·8	136·4	130·7
Girobank plc	4·0	5·9	6·6
London Regional Transport[3]	59·9	56·9	41·8
North of Scotland Hydro-Electric Board	4·1	3·8	3·9
Post Office	177·9	182·3	207·3
Regional Water Authorities	64·2	55·6	48·8
Scottish Transport Group	13·4	10·5	10·3
South of Scotland Electricity Board	13·7	12·3	12·1
Other public corporations[14]	109	102	[5]103
Nationalised industries and other corporations privatised or abolished since 1979	638	462	—
Civil Service[6]	716	611	593
National Health Service	1,152	1,223	[7]1,212
HM Forces	314	326	316
Other Central Government[8]	183	180	186
Local Government	2,997	2,942	[9]3,099

[1] Employees resident in United Kingdom only.
[2] Including warship yards in 1979 and 1984. These yards were privatised in 1985-86.
[3] Reclassified as a nationalised industry in 1984.
[4] Trading funds (Royal Mint, HMSO and Crown Suppliers) are included in the Civil Service row.
[5] Partly estimated.
[6] Excluding Royal Ordnance factories.
[7] At mid-year 1987 (latest available figure).
[8] Including Northern Ireland Civil Service, Northern Ireland Court Service and the Overseas Civil Service.
[9] Including, for consistency, employees in local authority airport and bus companies (18,300 in total) which are now classified as public corporations.

Sources of data:
Her Majesty's Treasury, Department of Employment, Department of Transport, DHSS, Joint Manpower Watch surveys and annual accounts and returns provided by nationalised industries and public corporations.

£2 Coin

Mr. Wheeler: To ask the Chancellor of the Exchequer when he proposes to issue the new £2 coin; of what metals the proof versions will be made and how many of each; how many reverse designs there will be; what these will depict; and to what extent ordinary currency pieces will be available, and where.

Mr. Lawson: As I announced to the House on 13 January 1988, a special £2 coin will be issued in 1989 to

commemorate the tercentenary of the Bill of Rights. I am now able to announce that Her Majesty has been graciously pleased to approve my recommendation to issue, in addition, a £2 coin to commemorate the tercentenary of the Scottish claim of right. The design on the obverse of both coins will feature the approved portrait of Her Majesty prepared by Mr. Raphael Maklouf. Details of the reverse designs will not be released until the coins are issued on 14 February 1989. Proof versions will be struck in silver and base metal. Coins struck in nickel brass will be available at face value at post offices and banks throughout the United Kingdom. It has not yet been decided how many coins will be minted. Although the coins are primarily for collectors, all will be legal tender.

Planning Regions (Expenditure)

Ms. Quin: To ask the Chancellor of the Exchequer if he will give the estimated public expenditure in each standard planning region of the United Kingdom arising from the expenditure plans announced in the autumn statement.

Mr. Major: Apart from expenditure that is the responsibility of the territorial departments, most public expenditure is planned on a national basis and it is not possible separately to identify expenditure in particular regions.

Chancellor of the Exchequer (Press Briefing)

Mr. Frank Field: To ask the Chancellor of the Exchequer if, pursuant to his replies of 7 November, he will place in the Library a copy of the record of his briefing to members of the press on 4 November on the targeting of state pensions.

Mr. Wareing: To ask the Chancellor of the Exchequer if he will place in the Library a summary of his remarks to the press of Friday 4 November concerning benefits for pensioners.

Mr. Lawson: I regret that no tape recording or transcript of the briefing exists. I have nothing to add to the information I gave the House on 7 November.

Commemorative Coins

Dr. Twinn: To ask the Chancellor of the Exchequer if Her Majesty's Government have plans to issue any new commemorative coins.

Mr. Lawson: Her Majesty the Queen has been graciously pleased to approve my recommendation that gold coins be issued in 1989 to commemorate the 500th anniversary of the introduction of the gold sovereign. Four coins will be issued: half-sovereign; sovereign; double sovereign and £5 piece. The coins will be struck for sale to collectors only. Details of the designs will be announced when the coins are issued on 31 January, 1989.

Agencies (Accounting Officers)

Mr. Robert Sheldon: To ask the Chancellor of the Exchequer what conclusions the Government have reached on the appointment of accounting officers for agencies established under the Next Steps initiative.

Mr. Norman Lamont: The Public Accounts Committee has informed the Treasury that it supports the recommendation of the Treasury and Civil Service Committee that the chief executive of an agency should be its accounting officer, with the proviso that if the agency's expenditure were only part of a Vote, or spread over several Votes, the chief executive should be formally appointed an accounting officer by the departmental accounting officer; and that in these circumstances the PAC would probably wish to take evidence from both accounting officers.

The Government accept the view of the Public Accounts Committee. If, therefore, an agency has its own Vote, or is a separate Department, the Treasury will appoint the chief executive as accounting officer. Where an agency does not have its own Vote and remains part of a Government Department financed from one or more Vote subheads, the departmental accounting officer will designate the chief executive as agency accounting officer, and send him a letter of appointment defining his duties as agency accounting officer in the light of the powers and responsibilities assigned to him in the agency framework document.

Manufacturing Industry

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the reason for the real decline in net domestic fixed capital formation in manufacturing industry between 1979 and 1987; what has been the effect on output and employment of the decline in the real fixed capital of manufacturing industry between 1979 and 1987; and what was the corresponding figure for 1974 to 1979.

Mr. Major *[holding answer 3 November 1988]:* Movements in net domestic fixed capital formation, output, and employment in manufacturing industry reflect many complex factors. But manufacturing investment is likely to grow by 18 per cent. in 1988, and output is expected to rise by 7 per cent.

EC (Balance of Trade)

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what was the United Kingdom's surplus/deficit in its trade in manufactured goods with the rest of the EEC, in volume terms, in each of the financial years from 1981 to the latest available year; and what is Her Majesty's Government's forecast for the current financial year.

Mr. Lawson *[holding answer 8 November 1988]:* The figures requested are available only in value terms and are presented in the table. Forecasts of trade with the EEC are not prepared.

The United Kingdom's balance of trade in manufactured goods with the rest of the European Community

	£ million (BOP basis not seasonally adjusted)
1981-82	−3,468
1982-83	−5,084
1983-84	−7,640
1984-85	−8,200
1985-86	−9,210
1986-87	−9,765
1987-88	−11,030

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what was the United Kingdom's (i) balance of

payments and (ii) balance of trade surplus/deficit in volume terms with the rest of the EEC in each of the financial years from 1981 to the latest available year; and what is Her Majesty's Government's forecast surplus/deficit for the current financial year.

Mr. Lawson *[holding answer 8 November 1988]:* The United Kingdom's current account balance with the rest of the EEC is only available in value terms and on a calendar year basis. The visible trade balance with the rest of the EEC is available on a financial year basis but again only in value terms. These figures are presented in the table. Forecasts of trade with the EEC are not prepared.

Balance with the European Community (£ million)

	Current Account		*Visible trade (BOP basis not seasonally adjusted)*
1981	973	1981-82	−721
1982	−154	1982-83	−1,161
1983	−948	1983-84	−2,889
1984	−2,317	1984-85	−2,535
1985	−2,856	1985-86	−3,538
1986	−8,831	1986-87	−8,582
1987	−13,165	1987-88	−10,518

Gross Domestic Product Deflator

Dr. Bray: To ask the Chancellor of the Exchequer by what percentage the gross domestic product deflator assumed for the financial year 1989-90 in table 1 of his autumn statement on public expenditure plans exceeds the gross domestic product deflator assumed for 1989-90 in his autumn statement in 1987.

Mr. Major *[holding answer 9 November 1988]:* In the 1988 autumn statement, the GDP deflator is assumed to rise by 5 per cent. in 1989-90. The corresponding assumption in the 1987 autumn statement was 3½ per cent.

Science and Technology

Dr. Bray: To ask the Chancellor of the Exchequer how much of the difference between the increase he announced in the autumn statement of £120 million in the provision for spending by the Department of Education and Science on science and technology in 1989-90, and the increase of £95 million announced by the Secretary of State for Education and Science in his science budget, is due to the effect of higher prices on the notional allocation to research and development of University Grants Committee expenditure.

Mr. Major *[holding answer 9 November 1988]:* The difference of £25 million between the two figures includes £13 million of the additional funding provided for universities in 1989-90, and spending of £12 million by the Institute of Plant Science Research following the privatisation of part of the Plant Breeding Institute. It will be for the Universities Funding Council to determine the distribution of funds to the universities, and for the universities to use the cash they receive as effectively as possible. Overall, the total cash available to the Universities Funding Council for recurrent spending in 1989-90 will be £1,672 million, more than 5 per cent. higher than the corresponding figure for 1988-89.

Manufacturing (Operating Surplus)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer why the net operating surplus in manufacturing fell in 1980 and 1981; whether he will publish in the *Official Report* tables showing the estimated gross and net operating surpluses as a percentage of, respectively, gross and net added value in *(a)* manufacturing and *(b)* industry plus transport and communication for 1987 and his tentative forecast for 1988 on the same basis as in tables 7.1 to 7.4 of the "Organisation for Economic Co-operation and Development, Historical Statistics 1960-1986"; and to what extent the improvement in the net operating surplus in manufacturing is due to an increase in the return on overseas investment.

Mr. Major: Movements in the net operating surplus in manufacturing depend on a number of complex factors. But in 1987 the net rate of return on capital employed was the highest for almost 20 years. And as paragraph 33 of the Industry Act forecast published with my right hon. Friend's recent autumn statement revealed, net rates of return are expected to improve further in 1988. The national income and expenditure Blue Book 1988 provides further data on the manufacturing industry.

THE ARTS

"Spycatcher"

Sir Hal Miller: To ask the Minister for Arts what advice he has given to public library authorities regarding the stocking of "Spycatcher", following the recent House of Lords judgment.

Mr. Luce: I informed the House on 21 October 1987 that I had suggested that public library authorities should await the outcome of prospective court proceedings. In the light of the recent House of Lords judgment, I no longer wish to advise public libraries against stocking "Spycatcher". It is for them to make up their own minds.

CIVIL SERVICE

Management Improvement

Mr. Higgins: To ask the Minister for the Civil Service when the Government intends to reply to the report of the Treasury and Civil Service Committee's inquiry into the Next Steps initiative for improving Civil Service management.

Mr. Luce: The Government have today laid before the House a Command paper (Cm. 524) giving their response. Copies of the paper, "Civil Service Management Reform: The Next Steps", are available from the Vote Office.

EDUCATION AND SCIENCE

Departmental Publicity

Mr. Straw: To ask the Secretary of State for Education and Science if he will list in the *Official Report* the total expenditure by his Department on all forms of press and public relations, information and publicity including the production and distribution of pamphlets and video

material, and so on, for each financial year from 1979 to date, and the planned allocation for the next three financial years broken down by appropriate category.

Mr. Kenneth Baker: The information available, excluding staffing and associated costs, is as follows:

Expenditure on publicity, information publications and advertising

	£'000
1979-80	130
1980-81	96
1981-82	178
1982-83	109
1983-84	173
1984-85	332
1985-86	860
1986-87	1,340
1987-88	1,826
1988-89	[1]2,900

[1] Estimated outturn.

These figures include expenditure by the Department and, in the years before 1984-85, the Central Office of Information on publicity, information publications and advertising; the arrangements for payment for COI work were changed in 1984-85. Decisions on allocations for the next three financial years have not yet been reached.

School Meals

Mr. Battle: To ask the Secretary of State for Education and Science if he will publish a table showing the average price of a school meal in *(a)* primary and *(b)* secondary schools for each year since 1979 to 1988 in 1988 prices in England.

Mr. Butcher: The available information is given in the table:

Average price for a fixed charge meal[1]

	Primary schools		Secondary schools	
	Cash (pence)	Real Terms[2] (pence)	Cash (pence)	Real Terms[2] (pence)
1979[3]	30	53	n/a	—
1980[4]	35	61	n/a	—
1980	43	64	n/a	—
1981	46	62	n/a	—
1982	50	63	n/a	—
1983	52	63	n/a	—
1984	55	63	n/a	—
1985	59	64	63	68
1986	61	64	63	66
1987	64	64	67	67

[1] The charges for September 1979 and February 1980 applied to all paid meals in maintained schools. Under Section 22 of the Education Act 1980 LEAs were given the power to set their own charges for meals. The figures in the table are national averages based on the number of paid meals provided by each authority.
[2] The figures for the earlier years hve been converted into 1987-88 real terms using the Gross Domestic Products (Market Prices) Deflator.
[3] September.
[4] February.

Mr. Battle: To ask the Secretary of State for Education and Science if he will publish a table showing how much expenditure on school meals has changed in cash and real terms in each year between 1979 and the latest date available for England.

Mr. Butcher: The information requested is given in the table:

Net expenditure on school meals—England[2]

	Cash	Real Terms[1]	Year on Year change Cash		Real Terms[1]	
	£ million	£ million	£ million	per cent.	£ million	per cent.
1979-80	422	706	—	—	—	—
1980-81	397	560	−25	−5·9	−146	−20·7
1981-82	397	509	—	—	−51	−9·1
1982-83	411	492	14	3·5	−17	−3·3
1983-84	427	488	16	3·9	−4	−0·8
1984-85	432	473	5	1·2	−15	−3·1
1985-86	435	450	3	0·7	−23	−4·9
1986-87	459	459	24	5·5	+9	+2·0

[1] The figures for the earlier years have been converted to 1986-87 real terms using the Gross Domestic Product (Market Prices) Deflator.
[2] The expenditure is net of income from such sources as parents and EC subsidies on milk products.

AIDS

Mr. Janman: To ask the Secretary of State for Education and Science if, following his statement on 1 November, *Official Report*, columns 605-10, the Government will now increase expenditure on the AIDS research programmes conducted by the Medical Research Council.

Mr. Kenneth Baker: I greatly welcome the enthusiasm and sense of urgency with which the council and the scientific community have embarked on the directed and strategic programmes of AIDS research. In view of the particular importance that the Government attach to the directed programme, I am making available £8 million in 1990-91 and £8·5 million in 1991-92 for its continuation. This will enable the United Kingdom to continue to play its part in responding to the AIDS emergency by contributing significantly to worldwide research into vaccines against AIDS and anti-viral drugs for those infected. I shall consider further the case for increase in the council's strategic programme on the basis of advice from the advisory board for the research councils later this year.

PRIME MINISTER

Ethical Problems

Q109. **Sir David Price:** To ask the Prime Minister if she will make it her policy to support the establishment of a permanent Select Committee of this House to study ethical problems arising out of new developments in the practice of science, technology and medicine and to make recommendations.

The Prime Minister: The consideration of such ethical problems is already within the terms of reference of the appropriate departmental Select Committees. Any changes in the existing Select Committee structure would be a matter for the House.

Newport, Gwent

Q122. **Mr. Flynn:** To ask the Prime Minister if she plans to make an official visit to the Bettws area of Newport, Gwent.

The Prime Minister: I have at present no plans to do so.

Environmental Research

Q170. **Dr. Bray:** To ask the Prime Minister which Minister is responsible for research into the global environment.

The Prime Minister: The Secretary of State for Education and Science has primary responsibility for basic and long-term strategic research into the global environment supported from public funds, through his responsibility for the science base in the research council and universities. Other Ministers fund research into the global environment as may be necessary for their statutory and policy responsibilities. Near market research is the responsibility of industry.

Health and Social Security Records Office

Mr. Andrew Smith: To ask the Prime Minister if she will make a statement on the allocation of ministerial responsibility for the Department of Health and Social Security records office following the departmental reorganisation of health and social security.

The Prime Minister: Ministerial responsibility for the records office in Nelson, Lancashire, rests with the Secretary of State for Health for those records concerned with health and personal social services matters; and with the Secretary of State for Social Security for those records concerned with social security matters.

Mergers and Takeovers

Mr. Austin Mitchell: To ask the Prime Minister whether the Government will provide a fiscal disincentive as a first test of the usefulness of all mergers and takeovers of quoted companies, including the takeover of companies overseas, including increasing capital duty and extending it to the issue of shares in the acquiring company.

The Prime Minister: No.

Engagements

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

Mr. Ian Taylor: To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 10 November.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

HOME DEPARTMENT

Broadcasting

32. **Mr. Grocott:** To ask the Secretary of State for the Home Department what representations he has received from the Northern Ireland broadcasting authorities on the subject of the recent restrictions on their ability to provide accurate coverage of current affairs.

Mr. Renton: There are no Northern Ireland broadcasting authorities, as such. The BBC and the IBA have undertaken to implement the directions issued, although they have requested that the need for them should be kept under close review. The directions do not prevent the broadcasters from providing accurate coverage of current affairs.

33. **Mr. Corbett:** To ask the Secretary of State for the Home Department what assessment he has made of the difficulties created for the broadcasting authorities in Northern Ireland by the recent restrictions imposed on them.

Mr. Renton: I do not believe that substantial difficulties have been created. The directions do not restrict the secondhand reporting of events. They restrict only the direct access of members of the organisations concerned and their supporters to the airwaves. Their activities and the words they utter can still be reported just as they are in the written press.

Attachment of Earnings

Mr. Frank Field: To ask the Secretary of State for the Home Department if he will list the number of attachment of earnings orders made each year since the commencement of the scheme; and if he will list the number of orders currently in effect.

Mr. John Patten: Information about orders made under the provisions of the Attachment of Earnings Act 1971 is not collated centrally and could be obtained only at disproportionate cost. Details of orders made under the Domestic Proceedings and Magistrates' Courts Act 1978 at magistrates courts are published in Home Office statistical bulletins, which are available in the Library. The latest relevant bulletin is No. 20/88.

Departmental Expenditure

Mr. Bradley: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* a table showing, by standard planning region, for 1980-81 to 1986-87, central Government expenditure by his Department, expressed in *(a)* cash terms, *(b)* per capita and *(c)* capital and current, identifying expenditure on the prison service separately by standard planning regions for the above years, on a capital and current basis, in cash and per capita terms.

Mr. Hurd: Home Office central Government expenditure for 1980-81 to 1986-87 is set out in the table.

Expenditure is shown in cash terms and split between capital and current expenditure. An analysis by standard planning region is not available.

£ millions

	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87
Prison service							
capital expenditure[1]	31·1	28·3	31·9	39·3	46·6	55·1	53·6
current expenditure	372·8	411·3	434·8	494·8	525·5	553·7	573·2
sub-total	403·9	439·7	486·7	534·1	572·1	608·9	626·8
Other Home Office							
capital expenditure[1]	16·2	19·4	18·8	17·3	20·5	28·2	31·2
current expenditure	213·5	230·9	253·8	314·2	362·4	386·7	417·0
sub-total	229·7	250·3	272·6	331·5	382·9	414·9	448·2
Total	633·6	690·0	759·3	865·6	955·0	1,023·8	1,075·0

[1] Capital expenditure excludes major construction projects which were funded by the PSA.

Prison Sentences

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department what evidence he has that an increase in the average length of prison sentences is effective in reducing the total volume of crime.

Mr. John Patten: The main purpose of a prison sentence is to punish the offender. The courts and prisons can make only a limited contribution to reducing crime. But long sentences for serious crimes restrict the opportunities for further offending by those who receive them, and may deter other potential offenders.

Strangeways Prison

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department if he will list the last 50 receptions under sentence to Strangeways prison, giving in each case the length of sentence, the main offence charged, and in the case of property offences, the value of the property stolen or the damage caused.

Mr. Douglas Hogg: On 1 November, the latest date for which this information is available, details of the 50 most recent receptions of sentenced inmates into Strangeways prison were as follows:

Main Offence Charged	*Length of Sentence*	*Value of Property Stolen or Damage Caused*
Theft	12 months	No information
Driving Whilst Disqualified	9 months	
Burglary with intent (Church Hall)	6 months	£3,200
Holding Warrant	3 months	
Holding Warrant	12 months	
Assault Occasioning Actual Bodily Harm	12 months	
Assault	12 months	
Burglary with intent	12 months	No information
Take a vehicle without consent	175 days	£207·90
Drunk & Disorderly	30 days	
Robbery	21 months	No information
Road Traffic Offence	37 days	
Indecent Assault	3 months	
Theft	8 months	No information
Breach Community Service Order	9 months	
Unlawful Sexual Intercourse	18 months	
Attempt to Pervert the Course of Justice	28 days	
Supply Drugs	21 months	
Possess Drugs	2 months	
Assault Occasional Actual Bodily Harm	12 months	
Possess Drugs with intent to supply	4 years	
Breach of Suspended Sentence	12 months	
Theft	12 months	£1,000
Road Traffic Offence	44 days	
Burglary	30 months	£1,350
Holding Warrant	2 years 2 months	
Burglary	15 months	No information
Fail to Surrender to Bail	28 days	
Driving Whilst Disqualified	154 days	
Burglary	7 months	No information
Burglary (School)	5 months	£250
Assault PC	3 months	
Excess Alcohol	6 months	
Damage to Property	6 months	£870·00
Reckless Driving	18 months	
Burglary with intent (Property)	7 months	£174·16
Theft	210 days	No information
Handling Stolen Goods	6 months	No information
Criminal Damage	6 months	No information
Assault PC	180 days	
Driving Whilst Disqualified	6 months	
Arson	2 years	No information
Supply Drugs	12 months	
Burglary	12 months	No information
Theft (Property)	4 months	£20
Assault Occasioning Actual Bodily Harm	8 months	
Driving Whilst Disqualified	6 months	
Burglary	10 months	No information
Rape	6 years	
Cause Harassment	6 days	

Where information about the value of property stolen or damaged is not available from warrants held at Strangeways prison, further inquiries would have to be

made of the courts that sentenced the inmates. Such information could only be obtained at disproportionate cost.

Indictable Offences (Northamptonshire)

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department if he will state, for the last five years, in Northamptonshire *(a)* the number of indictable offences known to have been committed by offenders aged under 17 years, and 17 to 21 years, and the number per 100,000 persons in those age groups, *(b)* the number and percentage of such offences dealt with by a police caution and *(c)* the number and percentage dealt with by non-custodial sentences.

Mr. Renton: The information available relates to offenders and can be found in the table: it can be derived from the supplementary volumes 3 and 4 of "Criminal Statistics, England and Wales", copies of which are in the Library, or, for 1987, will be placed there shortly.

Offenders found guilty or cautioned for indictable offences

Northamptonshire 1983-1987

	Number of offenders found guilty or cautioned	*Number of offenders found guilty or cautioned per 100,000 population*	*Number of offenders cautioned*	*Proportion of offenders found guilty or cautioned who were cautioned*	*Number of offenders given non-custodial disposals*	*Proportion of those sentenced given non-custodial disposals*
Age group 10-16						
1983	2,161	3,558	1,535	71·0	559	89·3
1984	2,083	3,538	1,714	82·3	293	79·4
1985	1,923	3,344	1,650	85·8	225	82·4
1986	1,254	2,246	1,076	85·8	151	83·9
1987	1,083	2,007	934	86·2	117	78·5
Age group 17-20						
1983	1,607	4,405	173	10·8	1,185	82·5
1984	1,521	4,380	221	14·5	1,076	82·6
1985	1,468	4,078	179	12·2	1,024	79·8
1986	1,364	3,782	194	14·2	938	79·5
1987	1,363	3,809	247	18·1	880	78·8

Seat Belts

Mr. Amess: To ask the Secretary of State for the Home Department (1) if he will publish in the *Official Report* a table showing the number of *(a)* males and *(b)* females convicted of not wearing a seat belt in England and Wales in each of the following age groups (i) aged 14 and under 17, (ii) aged 17 and under 21, (iii) aged 21 and under 24, (iv) aged 24 and under 30 and (v) aged 30 and over; and what is the percentage of the latter to the former in each month since 1983;

(2) if he will publish in the *Official Report* a table showing the number of *(a)* males and *(b)* females convicted of not wearing a seat belt by police force area in each of the following age groups (i) aged 14 and under 17, (ii) aged 17 and under 21, (iii) aged 21 and under 24, (iv) aged 24 and under 30 and (v) aged 30 and over; and what is the percentage of the latter to the former in each month since 1983;

(3) if he will publish in the *Official Report* a table showing the number of *(a)* males and *(b)* females convicted of not wearing a seat belt by police force area; and what percentage the latter is of the former since 1983.

Mr. John Patten: I shall write to my hon. Friend.

HM Prison, Risley

Mr. Butler: To ask the Secretary of State for the Home Department what recent progress he has made in improving conditions at Her Majesty's prison, Risley.

Mr. Douglas Hogg: D wing has been completely redecorated and refurbished. C wing has been vacated for redecoration and refurbishment.

The new working arrangements under Fresh Start have improved staff continuity in the wings with benefit to staff-prisoner relationships and prisoner care. Daytime education classes have begun for adult male prisoners. The physical education programme has been extended. Prisoners' privileges have been extended to include use of personal walkman-type cassette recorders and the borrowing of cassettes from the prison library. A television has been provided on the ground floor of the male hospital providing additional associated recreation for the more disturbed patients. A prison visitor scheme has started. A project is in progress to provide courts with better information for making bail decisions.

The central guidance on suicide prevention has been fully implemented.

TRADE AND INDUSTRY

New Businesses (Derbyshire)

Mr. Oppenheim: To ask the Chancellor of the Duchy of Lancaster how many new businesses have been set up in Derbyshire since 1983.

Mr. Atkins: The latest available estimate provided by the Department of Employment is that between the end of 1983 and the end of 1986 there were about 7,400 new businesses first registered for VAT in Derbyshire. The increase in the total numbers of businesses registered over this period was 4 per cent.

Regional Breakfasts

Mr. Henderson: To ask the Chancellor of the Duchy of Lancaster which trade union leaders or representatives have been invited to the 1992 regional breakfasts.

Mr. Maude: The DTI's regional breakfast conferences aim to encourage local business people to take action to prepare for the single market. We would be pleased to invite any trade union representative who indicated an interest in attending.

Single European Market

Mr. Henderson: To ask the Chancellor of the Duchy of Lancaster in what forum his Department intends to discuss the issues raised by the single European market with the trade union movement.

Mr. Maude: The single market was discussed at a recent meeting of the National Economic Development Council. Further discussions are planned.

Mr. Henderson: To ask the Chancellor of the Duchy of Lancaster how much money has been spent by his Department on information regarding employment issues in the context of his campaign relating to the single European market and 1992.

Mr. Maude: The DTI's "Europe-Open for Business" campaign aims to provide the most comprehensive information service on the single market available to business anywhere in the Community. Employment issues are covered in all the main campaign materials. It is not possible to identify the costs separately.

Barlow Clowes

Sir Anthony Grant: To ask the Chancellor of the Duchy of Lancaster what action has been and is being taken in relation to financial intermediaries who dealt with the Barlow Clowes companies.

Mr. Maude: The Securities and Investments Board, at the request of the Financial Intermediaries Managers and Brokers Regulatory Association, has initiated investigations under section 105 of the Financial Services Act 1986 into certain intermediaries. The board has also obtained orders in the High Court appointing the Official Receiver as provisional liquidator of the Investment and Pensions Advisory Service Ltd. (IPAS) and of the partnership of the same name. Both previously had been prohibited by FIMBRA from carrying on further business. FIMBRA is also making inquiries of members and applicants under its rules, and has restricted or prohibited certain members from carrying on further business.

The Secretary of State has statutory powers to seek information about financial intermediaries. My Department is in touch with the board and FIMBRA to see whether the exercise of those powers would be appropriate.

Sumire Clothes plc

Mr. Sedgemore: To ask the Chancellor of the Duchy of Lancaster if he intends to publish the Department of Trade and Industry report into the ownership of shares at Sumire Clothes plc; and if he will make a statement.

Mr. Maude *[holding answer 9 November 1988]:* Yes.

Investigations and Report

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how long the inspectors took to investigate the affairs of House of Fraser (Holdings) plc; what was the cost of the investigation; what is the length of the report; and when he intends to publish it.

Mr. Maude *[holding answer 9 November 1988]:* Mr. Philip Linnell Heslop QC and Mr. Hugh Graham Cazalet Aldous FCA were appointed on 9 April 1987 under the provisions of section 432 of the Companies Act 1985 to investigate and report on the affairs of House of Fraser Holdings plc. Mr. Heslop resigned his appointment on 13 May 1987 and on 15 May 1987 Mr. Henry Brooke QC was appointed to act with with Mr. Aldous. Mr. Brooke and Mr. Aldous sumbmitted their report of 750 pages to the Secretary of State on 23 July 1988. The investigation has cost £1,500,294.

It is the Secretary of State's intention to publish the inspectors' report as soon as circumstances permit, as was made clear in my Department's press release on 29 September.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how long the inspectors took to investigate the affairs of Milbury plc and Westminster Property Group Ltd.; what was the cost of the investigation; and what action he proposes to take following the publication of their report and in the light of their conclusions.

Mr. Maude *[holding answer 9 November 1988]:* Mr. Hugh Bernard Harwood Carlisle QC and Mr. Michael Gillam Lickiss FCA were appointed on 27 August 1985 under the provisions of section 432(1) of the Companies Act 1985 to investigate and report on the affairs of Milbury plc. The same inspectors were subsequently appointed on 26 November 1985 under section 442 of the Companies Act 1985 to investigate and report on the membership of Westminster Property Group Limited. They submitted their report on 26 August 1987. The investigation cost £1,135,274.

Whether further action is appropriate and, if so, what form that should take are matters which are receiving attention.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how long inspectors have now been investigating the affairs of Guinness plc; what has been the cost of the investigation to date; and when he now expects the inspectors to report.

Mr. Maude *[holding answer 9 November 1988]:* Mr. David Torrance Donaldson QC and Mr. Ian Glendinning Watt FCA were appointed on 28 November 1986 under the provisions of sections 432 and 442 of the Companies Act 1985 to investigate and report on the affairs and membership of Guinness plc. The investigation has cost £1,632,578 to date. The investigation continues and I am unable to say when the inspectors will submit their report to the Secretary of State.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how long the inspectors have now been investigating the affairs of Barlow Clowes Gilt Managers Ltd. and James Ferguson (Holdings) plc; what has been the cost of the investigations to date; when he expects the inspectors to report; and whether he will publish as an

interim report the first affidavit of Walter Max Hoffman in the matter of Barlow Clowes Gilt Managers Ltd. and in the matter of the Insolvency Act 1986 which was filed in the Chancery Division of the High Court on 10 June.

Mr. Maude *[holding answer 9 November 1988]:* Mr. Lawrence David Ziman and Mr. Walter Max Hoffman FCA were appointed on 10 June 1988 under the provisions of section 432 of the Companies Act 1985 to investigate and report on the affairs of James Ferguson Holdings plc. On 4 July 1988 the same inspectors were appointed under the provisions of section 442 of the Companies Act 1985 to investigate and report on the membership of that company. Also on 4 July, they were appointed under section 432 to investigate and report on the affairs of Barlow Clowes Gilt Managers Limited.

Mr. Ziman and Mr. Hoffman had previously been authorised on 13 November 1987 to exercise the powers conferred by section 105 of the Financial Services Act 1986 for the purposes of investigating the affairs of Barlow Clowes Gilt Managers Limited.

The investigations under the Companies Act have cost £186,385 to date. The investigation under the Financial Services Act has cost £186,931. The investigations under the Companies Act continue and I am unable to say when the inspectors will submit their report to the Secretary of State.

There is no statutory provision enabling the Secretary of State to publish Mr. Hoffman's affidavit or more generally enabling publication of reports submitted following the exercise of the powers conferred by section 105 of the Financial Services Act.

TRANSPORT

Channel Tunnel

Mr. Leadbitter: To ask the Secretary of State for Transport if any discussions are taking place on road and rail development requirements with the local authorities and other interested bodies in the northern region to meet the regional internal and external transport needs of the European single market and the completion of the Channel tunnel; what Government funding will be made available; and if he will make a statement.

Mr. Portillo: Substantial discussions are taking place on both road and rail requirements. A regional forum has been held in Newcastle-upon-Tyne involving the Department of Transport, local authorities and British Rail. Working groups are considering the requirements in detail.

The Government are contributing heavily to the provision of roads in the region. Rail developments are the responsibility of the British Railways Board. Government funding of international rail services is prohibited by section 42 of the Channel Tunnel Act.

Mr. Leadbitter: To ask the Secretary of State for Transport what is his latest assessment of the increase in the volume of goods and passenger traffic on the completion of the Channel tunnel; and what steps are being taken to avoid congestion in the south-east and provide efficient transport to the regions.

Mr. Portillo: According to Eurotunnel's latest traffic projections, the annual volume of Channel tunnel traffic on opening will be 30·7 million passengers and 15·5 million gross tonnes of freight.

For road traffic, the main route through Kent will be the M20, and this is being completed and widened to provide a three-lane motorway from the M25 to the tunnel terminal. The A20 link into Dover and a number of other roads in Kent are also being improved to provide good access to the tunnel and the ports. Cross-Channel traffic from the regions will benefit from the new Dartford crossing and the widening of some sections of the M25. The M25 is under review by consultants and their report is expected early in the new year.

For rail traffic, the Government have already approved in principle investment by BR of some £600 million in new infrastructure and rolling stock for the core London/Paris/Brussels passenger service and freight services to all parts of the United Kingdom. The investment programme includes new high-speed passenger trains, an international passenger terminal at Waterloo, a frontier station at Kensington Olympia for passenger services beyond London, a new international freight yard at Willesden, a number of freight locomotives, and improvements to track and signalling.

Section 40 of the Channel Tunnel Act requires BR to prepare by the end of 1989 a plan for passenger and freight services to the regions, and BR is currently consulting regional interests to identify the opportunities.

British Rail produced in July a report on rail capacity between London and the tunnel which indicates that new route capacity will be needed at some time in the future, involving the construction of a new line between Folkestone and London and new terminal capacity in London. BR is currently consulting local authorities and other interested parties to determine a preferred route by early next year. BR has invited proposals for private sector participation in the construction, financing and ownership of a new rail link.

Mr. Pike: To ask the Secretary of State for Transport if, when he next meets the chairman of British Rail, he will discuss proposals for improving rail links between the north-west and the south-east for the movement of freight via the Channel tunnel.

Mr. Portillo: This would not be the appropriate time. British Rail is required by section 40 of the Channel Tunnel Act to publish a plan by the end of 1989 setting out their proposals for international passenger and freight services and any infrastructure developments needed to support those services. British Rail is currently discussing the preparation of this plan with interested parties in all regions of the United Kingdom, with a view to producing a draft plan next summer.

Mr. Pike: To ask the Secretary of State for Transport how many kilometres of new motorway his Department currently intends to build to relieve pressure on the M1, the M6, the M25 and the M20 in preparation for the opening of the Channel tunnel.

Mr. Peter Bottomley: The Government announced in the White Paper "The Channel Fixed Link" (Cmnd. 9735) that the 23 km gap between Maidstone and Ashford on the M20 would be filled with dual three-lane motorway, and that the 10·8 km Maidstone bypass section would be widened from two lanes to three to ensure good access to

the tunnel terminal. In general, the impact of the Channel tunnel is one of many factors taken into account in the design of motorway and trunk road schemes.

We intend to construct some 100 km of new and improved motorway on the M1, M6, M25 and M20. The extension of the M40 from Oxford to Birmingham will also relieve pressure on the M1. The privately funded Dartford-Thurrock crossing will relieve pressure on the M25.

The schemes in the programme are as follows:

Scheme	*Km*
M1	
Junction 1 improvement	—
Climbing Lane junction 9	1·9
Widening between junctions 23A and 24 (as part of A42 Castle Donington N)	1·6
Junction 34 Meadowhall-Tinsley roundabout improvement (privately funded)	—
M6	
Widening between junctions 20 and 21A	8·5
Widening between junctions 30 and 31	3·5
Improvements between junctions 31 and 32	6·9
A446(M) Birmingham northern relief road (M6 relief road)	40·2
M20	
Maidstone-Ashford	23·0
Widening between junctions 5 and 8 (Maidstone bypass)	10·8
M25	
Widening between junctions 11 and 13	9·3
Total	105·7

Motorways

Mr. Pike: To ask the Secretary of State for Transport how much his Department currently intends to spend in this financial year on relieving the burden on *(a)* the M1, *(b)* the M20, *(c)* the M6 and *(d)* the M25.

Mr. Peter Bottomley: We expect to spend the following amounts this financial year:

	Scheme construction and preparation costs £ *million*	*Maintenance (capital and current)* £ *million*	*Total* £ *million*
M1	4·3	16·1	20·4
M20	3·2	0·7	3,9
M6	[1]5·2	13·5	18·7
M25	35·7	15·3	51·0
Total	48·4	45·6	94·0

[1]Includes £3·2 million preparation costs for the A446(M) Birmingham Northern relief road (M6 relief road).

Spending on the privately financed Dartford-Thurrock crossing will relieve pressure on the M25. Spending by the Department on the M40 Oxford to Birmingham extension will relieve pressure on the M1.

Mr. John Marshall: To ask the Secretary of State for Transport on which sections of the M25 traffic flows are *(a)* below design capacity, *(b)* between 100 and 125 per cent. of design capacity, *(c)* between 125 and 150 per cent. of design capacity and *(d)* over 150 per cent. of design capacity; and what proposals exist for easing congestion.

Mr. Peter Bottomley: The capacity of the M25 varies with the vehicle mix, road layout, time of day, time of year and driving conditions. Measures are in hand to improve conditions in the parts of the M25 most affected by congestion. Consultants are also currently undertaking a review of the whole motorway. This will identify existing and potential problem areas on the M25 and adjacent sections of radial raods and will suggest solutions. The results of the review are expected in the new year.

EC Assistance

Mr. Win Griffiths: To ask the Secretary of State for Transport if he will make a statement on his policy on the value of future transport infrastructure scheme to be put forward for European Commission support from the different regions of the United Kingdom.

Mr. Portillo: The availability of Community support for transport infrastructure is limited by the terms of the financial instruments involved. Within those limits the Department's objective is that the United Kingdom should benefit as much as possible from any support which may be available.

A1-M1 Link Road

Mr. Moss: To ask the Secretary of State for Transport if the time scale for the start of work on the A1-M1 link road has been delayed; when work is now expected to begin; and what is the anticipated completion date.

Mr. Peter Bottomley: Progress on the link road has been maintained. We plan to let the first contracts this financial year for works between Kettering and east of Thrapston.

With several sections still subject to outstanding statutory procedures we cannot give a firm forecast for completion of the whole of the link road. We shall complete it as soon as possible.

M62 (Nuclear Transport)

Mr. Sheerman: To ask the Secretary of State for Transport what nuclear fuel materials are currently transported across the Pennines via the M62.

Mr. Peter Bottomley: No central records are kept of the routes used. All consignments are required to comply with the safety regulations produced by the International Atomic Energy Agency.

Road Safety (Westminster)

Mrs. Rosie Barnes: To ask the Secretary of State for Transport if there are any further plans to introduce measures to increase road safety for pedestrians on the line of the initiative taken at the Westminster bridge, County hall, St. Thomas's hospital junction, by which traffic is stopped at a distance from pedestrian crossings.

Mr. Peter Bottomley: The initiative for introducing such measures rests primarily with local highway authorities. The relevant regulations give them some discretion and, where necessary, they can seek approval to the use of non-prescribed signs for use with such facilities.

The departmental advice note TA 52/87 entitled "Design considerations for Pelican and Zebra Crossings" is available in the Library.

M20

Mr. Speed: To ask the Secretary of State for Transport if he is now in a position to make a statement on letting the fixed contract for the construction of the M20 between Hollingbourne and Ashford.

Mr. Peter Bottomley: We expect to let the first contract before the end of the year and the second in the spring.

A650

Sir Marcus Fox: To ask the Secretary of State for Transport when he expects to announce the next stage of the A650 Airedale route from Crossflatts to Cottingley Bar, Bingley.

Mr. Peter Bottomley: We plan to publish draft orders under the Highways Act 1980 for this scheme in the new year.

Seat Belts (Children)

Sir Anthony Grant: To ask the Secretary of State for Transport when he expects to publish the regulations to be made pursuant to the Motor Vehicles (Wearing of Rear Seat Belts by Children) Act; and if he will make a statement.

Mr. Peter Bottomley: Taking account of the helpful comments we have already received we hope to publish draft regulations for consultation shortly.

No responsible parent would wait for the law before restraining their children. Seat belts save lives and reduce injury.

ENERGY

Piper Alpha

Dr. Godman: To ask the Secretary of State for Energy if, pursuant to his answer to the hon. Member for Greenock and Port Glasgow on Thursday 3 November, *Official Report*, column *713*, he will *(a)* place in the Library a copy of the abandonment programme for Piper Alpha and *(b)* indicate when he will make a decision on the aforesaid programme; and if he will make a statement.

Mr. Parkinson: I expect to reach a decision within the next fortnight. Occidental's proposals for the abandonment of the Piper Alpha installation contain commercially confidential information and it would not be appropriate for me to place them in the Library of the House. The proposals are that the remains of the platform be toppled outwards on to the sea bed by means of explosive charges, so as to leave a minimum of 75 m of clear water between the sea surface and any remains.

My officials are in close touch with the Department of Transport and the Department of Agriculture and Fisheries for Scotland about the navigational safety, fishing and marine environmental implications. Any approval would be without prejudice to any subsequent use of my powers under section 6 of the Petroleum Act 1987, and would be subject to the condition that the co-venturers will, if subsequently required by me, move or remove from the sea bed, such debris as I may direct. It would be my intention to consult relevant interested parties including the fishermen and the Nature Conservancy Council before deciding what debris clear up might be appropriate.

Electricity Supply Industry (Privatisation)

Mr. Prescott: To ask the Secretary of State for Energy if he will list the advisers who have been appointed to assist the Government, the South of Scotland Electricity Board and the North of Scotland Hydro Electric Board in the proposed privatisation of the electricity supply industry in Scotland and the amount of money that has been paid to each of these advisers in the last financial year and how much it is estimated will be paid to each of them in this financial year and in the next financial year.

Mr. Lang *[pursuant to the reply 28 October 1988 c.424]*: I have been asked to reply. The advisory team to the Government currently consists of Barclays de Zoete Wedd, British Linen bank, Coopers and Lybrand, McGrigor Donald, Merz and McLellan and the reporting accountants to the two boards, Deloitte Haskins and Sells and Peat Marwick McLintock.

Expenditure in 1987-88 was £615,648 and there is estimated provision in 1988-89 of £4 million. It is not usual practice to publish details of individual contracts. Advice received by the two boards is a matter for them.

FOREIGN AND COMMONWEALTH AFFAIRS

Internal Market

Mr. Thurnham: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about arrangements for the collection of information relevant to preparations for the internal market in 1992 by his offices in European member states.

Mr. Waldegrave: Posts in European Community member states report regularly on matters concerning European Community business, including the single market programme. These arrangements work well.

Kurdish Refugees (Turkey)

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Turkish Government about conditions in Kurdish refugee camps.

Mr. Waldegrave: We are in regular contact with the Turkish Government about conditions in the camps. Today we donated £250,000 to the British Red Cross to be passed to the Turkish Red Crescent for its relief programme for Kurdish refugees. We congratulate the Turkish Government on their speedy reponse in providing shelter, medical care and foodstuffs for the Iraqi Kurdish refugees from Iraq.

Chemical Weapons (Iraq)

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Iraq about the use of chemical weapons against Kurds; and if he will make a statement.

Sir Geoffrey Howe: We have made clear to the Iraqi Government on a number of occasions, particularly following events at Halabja in March this year, our condemnation of Iraqi use of chemical weapons against the Kurds. Following compelling indications of further use in August, I told the Iraqi Minister of State for Foreign

Affairs on 21 September that we regarded the use of chemical weapons as barbaric and that Iraq should accept a United Nations investigative mission. We regret that Iraq refused to admit a United Nations team. My right hon. Friend the Chancellor of the Duchy of Lancaster reiterated our concern at allegations of chemical weapons use to the Iraqi Government when he visited Baghdad on 4-8 November.

We have noted the Iraqi Foreign Minister's statement of 17 September pledging Iraq to abide by international law and agreements, including the 1925 Geneva protocol, banning chemical weapons. We support the convening of an international conference in Paris between 7-11 January to reaffirm support for the protocol.

Lebanon

Mr. Adley: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with representatives of the Lebanese Government; and if he will make a statement.

Mr. Waldegrave: Since 23 September governmental authority in Lebanon has been disputed. We recognise states, not governments. While we are prepared to have contact with both sides, that does not imply that we accept the claims of either.

Albania

Mr. Speed: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the latest situation regarding a settlement of the claim of the United Kingdom against Albania for the unlawful killing of 44 Royal Navy personnel in the Straits of Corfu in 1946.

Mr. Waldegrave: Albania has still not paid the compensation of £843,947 awarded to Britain by the International Court of Justice in 1949.

Iran

Miss Widdecombe: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's relations with Iran.

Mr. Waldegrave: My right hon. and learned Friend agreed with the Iranian Foreign Minister on 30 September in New York that full diplomatic representation would be restored in Tehran and London. Talks between Iranian and British officials on implementing this agreement have now been concluded. Relations between the two countries will be conducted in accordance with the Vienna conventions on diplomatic and consular relations, to which both countries are signatories. We hope that this agreement will form the basis for developing a more constructive and businesslike relationship with Iran in the future. A chargé will be in place in one month and other staff will follow. We will consider the raising of representational levels from charge to ambassador in due course.

North Korea

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration is being given to increasing contacts with North Korea in the light of recent developments; and if he will make a statement.

Mr. Waldegrave: In order to signal our desire to see a continuation of the improvement in North-South Korean relations, we are instructing our diplomatic missions abroad to relax the current ban on contacts with North Korean officials. This move takes account of the improved level of contact between the Republic of Korea and some East European countries and the People's Republic of China.

ENVIRONMENT

Council House Sales

Mr. John Marshall: To ask the Secretary of State for the Environment what percentage of their housing stock has been sold by each of the London boroughs since the right-to-buy provisions of the 1980 Act became law.

Mr. Trippier: A table giving information on sales of dwellings up to June 1988 as reported by each London borough and each other local authority in England has today been placed in the Library in response to an earlier question from my hon. Friend the Member for Mid-Staffordshire (Mr. Heddle). The table also shows sales since April 1979 as a percentage of housing stock.

Council Rents

Mr. John Marshall: To ask the Secretary of State for the Environment what is the latest level of rent arrears on each of the London boroughs.

Mr. Trippier: The information requested is listed in the table:

At 31 March 1988 the combined arrears of former and current tenants, which with the exception of Bexley and Redbridge (rent only) include rent, rates, water rates and heating-service charges, were reported by London boroughs as follows:

	£
City of London	61,824
Barking and Dagenham	751,729
Barnet	800,760
Bexley	281,909
Brent	16,668,415
Bromley	391,185
Camden	4,660,402
Croydon	1,322,118
Ealing	2,195,819
Enfield	1,177,386
Greenwich	4,784,538
Hackney	8,417,497
Hammersmith and Fulham	2,152,938
Haringey	4,119,000
Harrow	404,366
Havering	480,962
Hillingdon	468,128
Hounslow	[1]900,746
Islington	9,764,151
Kensington and Chelsea	1,059,328
Kingston-upon-Thames	133,310
Lambeth	12,553,466
Lewisham	4,700,000
Merton	[1]1,132,312
Newham	3,626,000
Redbridge	801,831
Richmond-upon-Thames	431,885
Southwark	19,019,317
Sutton	436,622
Tower Hamlets	2,218,411
Waltham Forest	3,140,577
Wandsworth	2,408,547
Westminster	1,779,000

[1] Estimated by DOE.

Barnstaple

Mr. Speller: To ask the Secretary of State for the Environment whether he has received the report of the public inquiry held in Barnstaple on 7 June relating to Barnstaple town centre redevelopment; and when he expects to announce his decision.

Mr. Chope: The inspector's report has been received. It is being considered by my right hon. Friend and he will announce his decision as soon as possible.

Water

Mr. Wigley: To ask the Secretary of State for the Environment if he will publish in the *Official Report* the average equated water rate poundage for each water authority.

Mr. Moynihan: The information requested by the hon. Member is set out in the table. The Welsh water authority is a matter for my right hon. Friend the Secretary of State for Wales.

Average equated water rate 1988-89

Pence

Water authority	*Water supply*	*Sewerage services*	*Environmental services*	*Total*
North West	27·10	30·70	0·70	58·50
Northumbrian	33·34	29·63	0·60	63·57
Severn Trent	22·60	27·60	0·75	50·95
Yorkshire	39·78	36·48	0·60	76·86
Anglian	29·60	39·12	1·07	69·79
Thames	17·07	16·09	0·38	33·54
Southern	23·28	31·31	0·67	55·26
Wessex	29·70	36·50	0·94	67·14
South West	31·90	41·60	1·61	75·11

Source: Water Authority returns.

Mr. Butler: To ask the Secretary of State for the Environment whether he intends to announce experimental water protection zones.

Mr. Moynihan: My right hon. Friend has no immediate plans to announce any experimental protection zones. However, various means of protecting water from pollution are currently under consideration.

"Living Options Lottery"

Mr. Alfred Morris: To ask the Secretary of State for the Environment what consideration he has given to the findings of the survey, carried out for the Prince of Wales's advisory group on disability, entitled "Living Options Lottery"; what action he is taking; and if he will make a statement.

Mr. Trippier: The report has only just been received. We will consider it carefully.

Local Authorities (Statutory Duties)

Mr. Madden: To ask the Secretary of State for the Environment if he will list the statutory obligations currently placed upon metropolitan district councils in England; and if he will describe in each case how councils are monitored to ensure their statutory obligations are being met satisfactorily.

Mrs. Virginia Bottomley: Information in the form requested is not available. My reply to the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 3 November 1988 at columns *735-36* listed Acts of Parliament since 1979 which had application to local government. The Department monitors the financial aspects of new legislative proposals which have implications for local authority expenditure. The independent auditor monitors local authority compliance with statutory obligations and powers in the raising and spending of money and local authorities' responsibility for securing value for money, in accordance with the code of local government audit practice approved by Parliament.

Ministerial Cars

Mr. Madden: To ask the Secretary of State for the Environment how many of Her Majesty's Government's Ministers currently have use of a ministerial car and driver; how many such cars have been adapted to use lead-free petrol; what action is being taken to convert all ministerial cars; and what action is being taken to encourage all Government Departments to adapt their vehicle fleets to use lead-free petrol.

Mr. Chope: At present the Government car service provides 79 ministerial cars and drivers for use of Ministers. Of the vehicles involved, 25 are capable of running on lead-free petrol. The remaining vehicles, none of which can be coverted to run on lead-free petrol, will be replaced with vehicles capable of running on lead-free fuel, in line with our normal replacement policy.

The Crown Suppliers (a trading fund of the Property Services Agency) which supplies vehicles to various Government Departments has already implemented a policy of purchasing vehicles which can run on lead-free petrol, and a programme of converting other vehicles which can be adapted to run on lead-free petrol.

All Government Departments are being encouraged to adapt existing vehicles to lead-free running where this can be done, or to replace existing vehicles with others capable of running on lead-free fuel as replacements become due.

Rating Reform

Mr. Pendry: To ask the Secretary of State for the Environment what additional funds he proposes to make available to Tameside metropolitan borough council to meet the administrative costs of poll tax collection.

Mr. Gummer: The costs of collecting the community charge will be taken into account in the needs assessments in grant settlements for 1990-91 and in the needs grant for subsequent years.

Housing

Mr. John Marshall: To ask the Secretary of State for the Environment which are the four London boroughs which have 1,000 tenants who have not been served with an offer notice within the statutory time limit under the right-to-buy legislation; how long this state of affairs has existed in each case; and if he will use his powers under the Housing Act 1980 to remedy this situation.

Mr. Trippier: According to the latest information, the four boroughs concerned are Brent, Camden, Lewisham and Newham. In Lewisham and Brent respectively only in the last two and five months have overdue cases exceeded 1,000. The rise in overdue cases is a relatively recent phenomenon reflecting the boom in right-to-buy applications. Even in Camden (13 months) and Newham (17 months), the position is not of long standing; nor is it intractable.

My right hon. Friend recognises, of course, that this is not a satisfactory state of affairs and has impressed on the councils concerned the need for urgent action; they are taking positive action to expedite the processing of right-to-buy applications. The Housing Bill provides further powers which will ensure that local authorities are encouraged to process right-to-buy applications with the minimum of delay. These include provisions for applicants who suffer unreasonable delay to have the rent for that period set against the discounted purchase price of the dwelling; and to have the period during which they are liable to repay discount correspondingly reduced; and for local authorities to use capital receipts to fund the necessary additional administrative staff to support the processing of right-to-buy casework. My right hon. Friend takes the view that these measures combined with a recognition of the part of the local authorities of the need to take full advantage of capital receipts from sales, will encourage a significant improvement in performance. If they do not do so, he will not hesitate to act.

Building Regulations

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will list all of those organisations which replied to his consultation document on section F and L of the draft building regulations, relating to fuel conservation; and which organisations urged the adoption of a U value rating of 0·45 w/m² or lower for exposed walls.

Mr. Trippier: The organisations and individuals that have commented on the proposals for amendments to the requirements and guidance relating to part L of the Building Regulations (Conservation of Fuel and Power) up to 9 November are listed in the table. Those marked * have expressed concern about the proposal to upgrade the heat-transfer *(u)* value for exposed walls to 0·45 w/m²K or the possible technical risks associated with it. Those marked † are seeking an even lower heat-transfer value for exposed walls—that is, a higher insulation standard than that proposed. Others either support the figure in the consultation paper, or have not specifically commented on this aspect of the proposals.

In addition, 13 comments have been received which relate solely to the proposals on part F (ventilation).

List of Responders to Part L Consultation Document

Association [redacted] County Councils
Association for Conservation of Energy†
Aggregate Concrete Block Association*
Autoclaved Aerated Concrete Products Association*
Association of Metropolitan Authorities*
Association of British Roofing Felt Manufacturers Ltd.
Association of Consultant Architects*
British Cement Association
British Gas
British Precast Concrete Association
British Concrete Masonry Association
Building Material Producers (BMP)
Brick Development Association
British Flat Roofing Council
Building Design Partnership
Bovis Homes
British Institute of Architectural Technicians
Building Control Group for Cornwall
British Rigid Urethane Manufacturers' Association
Building Societies Association*
British Plastics Federation
Building Research Establishment
British Standards Institution
Construction Surveyors Institute
Central Heating Energy Efficiency Confederation
Colt International
Construction Markets
Catric
Celotex
Chartered Institute of Building
Confederation of British Industry
Cavity Foam Bureau
Cumbria Building Control Officers Association
Dow
Electricity Council
Elsy and Gibbons Ltd.
Eurisol
Expanded Polystyrene Cavity Insulation Association
Flat Glass Manufacturers Association
Federation of Master Builders
Flat Roofing Contractors Advisory Board
Glass and Glazing Federation
Gypsum Products Development Association
Guild of Surveyors
Gledhill Ltd.
Heating and Ventilation Contractors Association
Health and Safety Executive
Hevac Control Manufacturers Association
House Builders Federation*
Institution of Civil Engineers
Institute of Building Control
ILEA
The Incorporated Association of Architects and Surveyors
Loss Prevention Council
London Boroughs Association*
London Brick Association
Sir Robert McAlpine
National Cavity Insulation Association
National House Building Council
National Federation of Self Employed and Small Businesses
Neighbourhood Energy Action
Phenolic Foam Manufacturers Association
Polyethelene Foam Insulation Association
Polytechnic of Central London
Plaschem
Property Services Agency (PSA)*
Redland Roof Tiles
RMC Panel Products Ltd.
Royal Institute of British Architects*
Rockwool
Royal Town Planning Institute
Royal Institution of Chartered Surveyors
Salford University
Society of British Gas Industries
Swedish-Finnish Timber Council†
Timber Research and Development Association (TRADA)
Tarmac Topblock Ltd
Thermal Insulation Manufacturers and Suppliers Association
Richard Twinch, Architect
Three Rivers Council
J. Uyttenbroeck
Willan Builders
Water Companies Association
Waterheater Manufacturers Association
Wimpey
YRM Partnership

Radiation (Wigan and Southport)

Mr. Alton: To ask the Secretary of State for the Environment what information he has as to whether there was any increase in background radiation in the Wigan and Southport area on the night of 28-29 October; and if he will make a statement.

Mrs. Virginia Bottomley: No increases in background radiation were detected by the national radiation monitoring network (RIMNET) on the night in question.

Planning Appeals

Mr. Sean Hughes: To ask the Secretary of State for the Environment how many appeals have been received by him in each of the last three calendar years against decisions of local authorities to refuse planning permission; and how many of those appeals have been upheld.

Mr. Chope: The total number of appeals received against decisions of local planning authorities (or against their failure to make decisions within the statutory period), and the number upheld, were as follows:

Year	*Appeals received*	*Appeals allowed*
1985	17,053	5,477
1986	18,863	5,992
1987	21,548	6,524

Water Pollution

Mr. Butler: To ask the Secretary of State for the Environment what proportion of drinking water samples in England are found to be unwholesome under the interpretation of the European Community directive relating to water quality.

Mr. Moynihan *[holding answer 7 November 1988]:* Out of several thousand supplies in England some 200 regularly exceed one or other of the limits set by the EC drinking water directive for certain parameters; however programmes of improvement are in hand for most of these.

Regional Water Authorities (Ownership)

Mr. Spearing: To ask the Secretary of State for the Environment what plans he has for including in his forthcoming plans for reorganisation of the ownership of regional water authorities provisions for restrictions of ownership, or proportion of shareholdings, to persons not of United Kingdom nationality or bodies of ultimate ownership not registered in the United Kingdom.

Mr. Moynihan *[holding answer 8 November 1988:]* We shall be announcing our intentions in due course.

Housing (Greater London)

Mr. David Nicholson: To ask the Secretary of State for the Environment how many representations he has received regarding the transfer of formerly Greater London council-owned housing outside the former Greater London council area to housing associations *(a)* from the former Greater London council tenants and *(b)* from others; and if he will make a statement.

Mr. Trippier *[holding answer 9 November 1988]:* Before the transfer of the ex-GLC seaside and country homes, the London residuary body forwarded 379 representations in response to consultation letters to all 3,445 tenants. Since the transfer 15 representations have been received direct and eight via constituency Members of Parliament.

Marine Research

Mr. Bermingham: To ask the Secretary of State for the Environment if there are plans to fund research into the annual migratory track of porpoises from the Baltic to the North sea and to the English channel in relation to the spread of the virus affecting marine mammals; if there are proposals to initiate collaborative projects internationally; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 9 November 1988]:* Preliminary work is now under way at the sea mammal research unit of the Natural Environment Research Council for a full research project based on the tracking of porpoises to proceed next year. This study will provide detailed information on the movement and feeding of porpoises and involves collaboration with other researchers both in the United Kingdom and internationally.

Evidence available so far has not identified in porpoises the particular virus responsible for seal deaths.

Mr. Bermingham: To ask the Secretary of State for the Environment if he will make a statement on the current budgetary restraints on the Natural Environment Research Council five-year project to collect data about chemistry and biology of the North sea.

Mrs. Virginia Bottomley *[holding answer 9 November 1988]:* The Department intends to spend £1·2 million on North sea related research in 1988-89 and we are planning to increase that amount in 1989-90. A good proportion of this expenditure is placed with NERC. The NERC North sea project is funded principally from the science budget which is the responsibility of my right hon. Friend the Secretary of State for Education and Science.

EMPLOYMENT

Employment Training

Mr. Ray Powell: To ask the Secretary of State for Employment if he will list the names of the people responsible for the employment training scheme, by area.

Mr. Nicholls: The Training Agency is in the process of producing a national directory of training agents and training managers. This will list, by Training Agency area, the names and addresses of all organisations contracted to deliver employment training. The directory is due to be published in January 1989.

Mr. Ray Powell: To ask the Secretary of State for Employment how many people employed under the community programme will transfer to the new employment training programme; and if he will make a statement.

Mr. Nicholls: All people employed under the community programme prior to 5 September, and whose entitlement to the community programme continued

beyond that date, are entitled to transfer to employment training. There were 170,034 filled places on community programme, excluding managers and supervisors, at 31 August. A large majority of these places transferred to employment training early in September but the precise number of these and of those who will eventually transfer is not known.

Mr. Ray Powell: To ask the Secretary of State for Employment what assessment he has made of the effect of switching of responsibility of training to local employer networks on employment training.

Mr. Nicholls: There has been no switch of responsibility of training to local employer networks on employment training.

Ms. Short: To ask the Secretary of State for Employment whether an employer who is providing them with a work placement as part of their training will be allowed to require employment training scheme trainees to *(a)* do overtime, *(b)* work unsocial hours or *(c)* work on Saturdays or Sundays; and if he will make a statement.

Mr. Nicholls: The hours of attendance of employment training trainees on placements should be in line with the normal hours worked by the provider's own employees. Trainees should not, however, be required to attend for any periods which normally attract overtime or premium payments for employees, nor should they be required to attend on Sundays or bank holidays, unless that is normal for the firm or industry concerned.

Ms. Short: To ask the Secretary of State for Employment what steps the Training Commission will be taking to ensure that the employment training scheme trainees are not given work experience placements which substitute for or displace normal jobs; if he will ensure that no employer who has declared redundancies in the preceding two years can take on the employment training scheme trainees in the work areas or sections affected by those redundancies; and if he will make a statement.

Mr. Nicholls: Providers of employment training places are required to offer a properly planned and structured programme of training for all trainees. It is for training managers and practical training providers to try to ensure that ET placements have the support of their employees so that there is an environment conducive to good training. For many employers this will involve following their normal industrial relations practices and procedures.

This requirement will safeguard against job substitution and any employer may seek to participate in employment training whether or not they have declared redundancies in the past.

Ms. Short: To ask the Secretary of State for Employment what safeguards he is taking to ensure that claimants, or their parents, are no worse off from participating in the employment training scheme; what will be the position, and what advice he will give, to claimants who *(a)* are receiving payments from insurance agreements to cover mortgage and hire purchase payments which could be affected by their change in status from unemployed claimant to trainees or *(b)* are living as dependants with someone else who is claiming housing benefit as head of household, where that head of household's benefit may be affected by the change in the trainee's status from unemployed claimant to trainee; and if he will make a statement.

Mr. Nicholls: We are concerned that some insurance companies may withdraw mortgage protection cover from people joining employment training. The terms of insurance policies are, of course, for individuals and their insurers. However, the Association of British Insurers has written to its members, asking them to do all they can to ensure that people joining employment training do not forfeit this protection.

Dependants of people in receipt of housing benefit may join employment training without this having any effect on the level of housing benefit in payment.

Ms. Short: To ask the Secretary of State for Employment if he will estimate the net Exchequer cost of removing an employment training scheme trainee from the unemployment register; if he will give the basis of that calculation; and what is the latest estimate of the net Exchequer cost of the community programme of removing a participant from the unemployment register.

Mr. Nicholls: In 1987-88 the net Exchequer cost of removing a community programme participant from the unemployment register was approximately £2,400. No comparable estimate for the employment training programme is available at present.

Mr. Leighton: To ask the Secretary of State for Employment how many places there are on the Birmingham city council ET scheme; and how many entrants are in place so far.

Mr. Nicholls: Birmingham city council has an employment training contract which builds up to 3,000 places by March 1989. As at 28 October, nearly 700 places were filled by former community programme participants and, in addition, there have been 160 entrants to the new programme.

Mr. Leighton: To ask the Secretary of State for Employment how many trainees have entered ET.

Mr. Nicholls: In the first eight weeks of employment training about 52,000 people entered training.

Mr. Hayward: To ask the Secretary of State for Employment how much is to be spent on employment training within Greater London.

Mr. Nicholls: The information is not available in the form requested. However, the planned expenditure (excluding income support) for the London region up to the end of March 1989 is £20 million.

Construction Industry Training Board

Mr. Soames: To ask the Secretary of State for Employment if he will make a statement on the standards of training offered by the construction industry training board.

Mr. Nicholls: The construction industry training board is the lead body for setting training standards in the construction industry. It is working closely with the Training Agency and the National Council for Vocational Qualifications to establish occupational standards leading to the development of national vocational qualifications.

As a managing agent for YTS, CITB has approved training organisation status and is closely monitored by the Training Agency to ensure that the required standards

of training are maintained. All the trainees are following programmes that lead towards recognised vocational qualifications.

Mr. Soames: To ask the Secretary of State for Employment if he will seek to broaden the scope of training offered by the construction industry training board.

Mr. Nicholls: Following discussions with Ministers last year, the construction industry training board has taken steps to increase the number of young people entering the industry via YTS and to encourage employers to update and upgrade the skills of their existing work force, including managers and supervisors. The board has also recently committed nearly £8 million to support over 6,400 employment training places a year for adult entrants to the industry. I have asked the board to make its grant support for training more flexible and more accessible, and I am also discussing with the chairman the measures to be taken to attract women and ethnic minority groups into the industry.

Mr. Soames: To ask the Secretary of State for Employment how much money the constuction industry training board received in 1987 from the construction industry; and how much was paid out in grants.

Mr. Nicholls: In the financial year ending 31 March 1987, the construction industry training board raised £47·3 million by levy on the industry. £21·1 million was paid to employers in grants towards the costs of training and a further £10·3 million was spent in support of YTS in the industry. A further £16·2 million was used to cover the board's operating costs including the running of six training centres, the activities of its field training advisory service and its standard-setting work.

Mr. Soames: To ask the Secretary of State for Employment how much money the construction industry training board had in its cash balance at the bank at the end of its last financial year.

Mr. Nicholls: The latest available accounts are for the financial year ending 31 March 1987. The CITB had no cash at the bank at the end of that year. This information is taken from the 1986-87 annual report, a copy of which is available in the Library of the House.

Employers (Information)

Mr. Nicholas Baker: To ask the Secretary of State for Employment if he has received representations about employers who provide incorrect information about circumstances in which employment of a former employee has ceased; and if he has any plans to seek powers to enable him to take action against employers engaging in this practice.

Mr. Lee: I occasionally receive such representations in connection with claims for unemployment benefit. There are procedures for obtaining claimants' comments on any statement from an employer which is likely to affect payment of unemployment benefit. I have no plans to seek powers to take action against employers in the regard.

Tourism

Mr. Fearn: To ask the Secretary of State for Employment what information he has as to which seaside resorts are seeking to promote tourism by requesting better access roads to their towns; and if he will make a statement.

Mr. Lee: A number of seaside resorts including Southport have raised this issue with me.

Mr. Fearn: To ask the Secretary of State for Employment what selective investments in developments at seaside resorts in England have been made from Government tourism finance; and how much.

Mr. Lee: Assistance offered by the English tourist board under section 4 of the Development of Tourism Act 1969, to capital projects situated in seaside locations, totalled £2·8 million in 1987-88 and £1·9 million from April to October 1988.

Mr. Fearn: To ask the Secretary of State for Employment what was the total of English tourist board development grants in the years 1985-86 and 1986-87.

Mr. Lee: The English tourist board offered assistance totalling £11·55 million and £13·95 million in 1985-86 and 1986-87 respectively, towards the cost of tourism projects in England under the Development of Tourism Act 1969.

Industrial Tribunals (Ethnic Minorities)

Mr. Janner: To ask the Secretary of State for Employment whether he will take steps to increase the number of members of industrial tribunals who are from ethnic minorities.

Mr. Nicholls: We expect to appoint a number of new members to the industrial tribunals in October 1989. In preparation for this exercise my officials have already held discussions with the major sponsoring bodies, drawing attention to the Government's concern to increase the proportion of industrial tribunal members from the ethnic minorities. We shall stress this point strongly when we write formally to the sponsoring bodies seeking the names of candidates suitable for appointment.

Labour Statistics

Mr. Oppenheim: To ask the Secretary of State for Employment how many people were unemployed in Derbyshire in each year from 1983; and how many people are currently unemployed in Derbyshire.

Mr. Lee: The table shows the annual average number of unemployed claimants in Derbyshire for the years 1983 to 1987. In September 1988 the number of unemployed claimants in Derbyshire was 38,275. The September 1988 figures include some over-recording, and are also affected by seasonal influences.

The Annual Average Number of Unemployed Claimants in Derbyshire

Year	*Number*
[1]1983	44,202
1984	47,208
1985	48,936
1986	49,799
1987	46,911

[1] Average of the seven months June to December 1983, comparable figures for earlier months are not available on the same geographical basis. Comparisons are affected by changes in the coverage of the count.

Young Persons

Mrs. Mahon: To ask the Secretary of State for Employment how many 16 to 17-year-olds have lost benefit following the eight-week period allowed, as a result of refusing or not being found places on training schemes *(a)* in England and Wales and *(b)* in Halifax.

Mr. Cope: No 16 and 17-year-olds, other than the severely disabled, single parents and other special categories were entitled to income support (formerly supplementary benefit) after 11 September. Those who applied for YTS places were paid bridging allowance which is not a social security benefit, for up to eight weeks after that to give the local authority careers office time to offer them a YTS place.

Mr. Pendry: To ask the Secretary of State for Employment how many young people aged 16 and 17 years who left school in Tameside in the current year have *(a)* accepted a YTS place, *(b)* got a job and *(c)* not gained a YTS place or a job and receive no income.

Mr. Cope: It is estimated that about 970 16 and 17-year-olds who left school in Tameside this year have accepted a YTS place and about 720 have got a job. Information on the number who have not gained a YTS place or a job and receive no income is not available. The parents of most of these young people who left school this summer who have not found a job and who have applied for a YTS place but have not yet been placed are receiving child benefit.

Closures and Takeovers (Ballots)

Mrs. Mahon: To ask the Secretary of State for Employment whether he will introduce a statutory code of practice for employers requiring *(a)* that a ballot is undertaken to ascertain the views of employees before any proposed closures or takeovers are proceeded with, *(b)* that any such ballot will not be held without notice, *(c)* that any such ballot will not be held at a time when industrial relations might be harmed and *(d)* that any such ballot will not impose costs on participants.

Mr. Nicholls: No.

Wages Councils

Mr. Frank Field: To ask the Secretary of State for Employment if he will list the occasions since 1979 when he has written to chairmen of wages councils about the proposed level of wage settlements in the respective wages council.

Mr. Nicholls: The then Secretary of State wrote to the chairman of the retail food and allied trades and the retail trades (non-food) wages councils on 25 February 1983, and to the chairmen of the unlicensed place of refreshment and the licensed residential establishment and licensed restaurant wages councils on 9 and 17 August 1983 respectively, about proposals published by those councils for increases in statutory minimum rates. I regret that mention of the latest of these letters was omitted from the reply to the hon. Member given on 27 October 1986, *Official Report* at columns *43-44*.

HEALTH

NHS Staff (Length of Service)

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the average length of service, in years, of staff members in the National Health Service for 1970, 1979, 1984 and 1988, respectively.

Mr. Mellor: We do not hold such information centrally.

Family Planning and Abortion

Ms. Harman: To ask the Secretary of State for Health, following the recommendations contained in the recent independent report of the multidisciplinary committee under the chairmanship of Professor Alwyn Smith, "The Nation's Health, A Strategy for the 1990s," what steps the Government are proposing to take to improve family planning and abortion services; and if he will make a statement.

Mrs. Currie: The Government have noted the report and will consider the detailed points in the light of other comments made on the study. The introductory chapter includes, in its list of important health gains, the prevention of ill health in the area of sexuality and unwanted pregnancy. We shall, of course, continue to monitor closely these aspects of health.

Waiting Lists

Mr. Butler: To ask the Secretary of State for Health by what percentage in-patient waiting lists fell between 1978 and the latest available year in *(a)* England and *(b)* the Mersey regional health authority.

Mr. Mellor: The requested information is given in the table.

Cases on in-patient waiting list, Mersey RHA and England, 1978, 1988

	Mersey	*England*
December 1978	38,110	682,444
March[1] 1988	31,031	678,777
Change 1978-1988	−7,079	−3,667
Percentage Change 1978-1988	−18·6	−0·5

[1] Total less self deferred cases.

Contracts (Mersey RHA)

Mr. Butler: To ask the Secretary of State for Health if he will list all contracts let by competitive tendering to outside operators within the Mersey regional health authority, together with their associated savings over the last three years.

Mr. Mellor: Under the competitive tendering initiative, outside contractors, in the period 1 October 1985 to 30 September 1988, won contracts—all for domestic services—as follows:

District Health Authority and Hospital/Unit

Macclesfield—District General Hospital Community and Mental Handicap Unit.
South Sefton—Fazakerley Hospital.
Warrington—Winnick Hospital.
Wirral—St. Catherine's Hospital, Victoria Central Hospital, Clatterbridge Hospital.

Estimated annual savings generated total £¾ million.

Vascular Surgery, Wakefield

Mr. Hinchliffe: To ask the Secretary of State for Health what information he has as to the reasons why a vascular surgeon at Pinderfields hospital, Wakefield, has been refused permission to purchase a large size of aortic graft.

Mrs. Currie: None. The vascular surgeon in this health authority has indicated that stocks of aortic grafts are adequate for patients' needs.

Service Men (Nuclear Tests)

Mr. Churchill: To ask the Secretary of State for Health if he will take steps to purchase or obtain the use of equipment recently developed in the United States of America, capable of tracing radiation in an individual's bone and the date of that exposure, so as to enable tests to be carried out on all British service men involved in Britain's nuclear test programme who may request it; and if he will make a statement.

Mrs. Currie: No. We are advised that such equipment, known as dual laser beam flow sorters, cannot, as yet, measure radiation doses to the bone marrow with any more precision than established techniques. We are further advised that it is not, at present, possible to estimate accurately doses which were received many years ago, unless such doses had been so high that serious health effects would have occurred within a few weeks of exposure.

We understand that work is currently being carried out at the Medical Research Council's clinical and population cytogenetics unit in Edinburgh in an attempt to develop flow sorter technology so that, at some time in the future, it may be possible to estimate much lower doses.

A review of this type of technology has recently been carried out in relation to possible studies of American test veterans, and arrived at the same conclusions as those outlined above.

Private Residential and Nursing Care (Training)

Mr. Hinchliffe: To ask the Secretary of State for Health what is his latest estimate of the full cost to public funds of the training of those who are now employed in social or nursing care in private residential care and nursing homes.

Mr. Mellor: We do not hold such information centrally. We are encouraging the private sector to contribute to nurse education and training, and the English National Board for Nursing, Midwifery and Health Visiting is talking with representatives of the private sector about further opportunities.

Market Harborough (Ambulances)

Mr. Fearn: To ask the Secretary of State for Health if he will state how many ambulances the Leicester district health authority has to service the Market Harborough area for each shift over 24 hours; and what other areas the ambulances have to service.

Mrs. Currie: Provision of ambulance services is a matter for the district health authority concerned. The hon. Member may care to write to Mr. G. Farnham the chairman of the Leicestershire health authority for the information he seeks.

Maternity Unit, Market Harborough

Mr. Fearn: To ask the Secretary of State for Health what representations he has received concerning the proposals by Leicester district health authority to close the maternity unit at Market Harborough and move the services to Leicester hospital; and if he will make a statement.

Mrs. Currie: We have received one representation specifically about the closure proposals at Market Harborough. It would not be appropriate for me to comment at this stage on the proposals because Ministers may be called upon to make the final decision.

Hospital Pharmacist Service

Mr. Fearn: To ask the Secretary of State for Health if he has any plans to ameliorate the recruitment and retention problems of the hospital pharmacist service, particularly in the south-east.

Mr. Mellor: I refer the hon. Member to my reply to the hon. Member for Ynys Môn (Mr. Jones) on 1 November 1988 at column *588*.

Pinderfield Hospital, Wakefield

Mr. Hinchliffe: To ask the Secretary of State for Health if he will investigate claims made by surgeons at Pinderfield hospital, Wakefield, that patients are having to wait for certain operations until instruments can be borrowed from manufacturers.

Mrs. Currie: A variety of systems are in use for the nailing of fractures and for such operations as knee implants.

The free loan instruments come as part of a package when the implant material is purchased. Four weeks ago the Wakefield orthopaedic surgeons were asked to make a clinical decision to select one of the several fracture nailing systems now available. This would enable the instruments to be available on permanent, rather than ad hoc loan. A formal response from the surgeons to this request for a decision has not yet been submitted.

We have no information on any patient being inconvenienced as a result.

Mr. Hinchliffe: To ask the Secretary of State for Health what representations he has received seeking action to enable the Wakefield health authority to resume the provision of artificial fingers to patients under treatment at Pinderfield hospital.

Mrs. Currie: None. The supply of artificial limbs and appliances, including fingers, to NHS patients is the responsibility of the disablement services authority. The hon. Member may therefore wish to contact the regional manager of the Leeds disablement services centre, Chapel Allerton hospital, Harehills Lane, Leeds LS7 4EZ for information on the service.

Mr. Hinchliffe: To ask the Secretary of State for Health what representations he has received seeking action to enable the Wakefield health authority to resume knee implant operations at Pinderfield hospital.

Mrs. Currie: None.

Dental Charges (Students)

Mr. Sheerman: To ask the Secretary of State for Health if his Department will publish a simple guide to dental charges appropriate to students in full-time higher education.

Mrs. Currie: Our leaflet D11, "NHS Dental Treatment —how to get it free or get help with the cost", gives clear information on what the charges are and who can get free treatment or help with the cost. It is available from doctors' and dentists' surgeries, local social security offices and citizens advice bureaux.

Registered Homes

Mr. Hinchliffe: To ask the Secretary of State for Health if, in the light of the recent registered homes tribunal decision in respect of Wiltshire county council's deregistration of the Westgate private aged persons' home in Swindon, he will as a matter of urgency issue guidance to local authorities as to whether, under the provisions of the Registered Homes Act, they should continue to regard proprietors with convictions for theft as unsuitable for registration purposes.

Mrs. Currie: This tribunal decision demonstrates the need for authorities to take into account all the circumstances of a home and of the person registered in relation to it including any convictions in deciding on the suitability of a person for registration. We do not think that it would be useful to issue general guidance specifically on the subject of convictions for theft.

Hospital Social Work Service

Mr. Hinchliffe: To ask the Secretary of State for Health what proposals he has to introduce a system of pooling arrangements, specific grants or cross billing between local authorities in order to improve the funding of the hospital social work service.

Mr. Mellor: Officials have been engaged in discussion with the relevant local authority associations of a number of proposals for improving the distribution of funding for the hospital social work service within the local government system. No conclusion has yet been reached.

Social Workers

Mr. Hinchliffe: To ask the Secretary of State for Health how many social workers were employed in hospital settings in each year since 1979.

Mr. Mellor: I regret that this information is not available centrally.

Nursing

Mr. Kirkwood: To ask the Secretary of State for Social Services whether he will place a copy of the following reports in the Library *(a)* Nursing in London Study, *(b)* Regional Health Authority Leavers Survey 1 July to 30 September 1987, *(c)* Nursing Career Development Project Report, *(d)* Nursing Retention and Recruitment by Price Waterhouse and *(e)* the Wastage Rates in Nurse Training Report.

Mr. Mellor *[pursuant to the reply 29 July 1988, c. 783]:* We are now able to let the hon. Member know that we have placed in the Library copies of the reports of:

(i) The nurses recruitment and retention survey undertaken by Price Waterhouse for RHA chairmen;

(ii) "Lasting the Course"—a study of training success and wastage undertaken by Rosemary Hutt for the Department; and

(iii) "The Way Ahead"—Carer Pathways for Nurses, Midwives and Health Visitors". The report of the nursing carer development project group.

Copies of the report of the review of nursing services in London have already been placed in the Library.

The survey of leavers between 1 July and 30 September 1987 was commissioned from the regional health authority chairmen by the review body for nursing staff, midwives, health visitors and professions allied to medicine. I understand that the results of this survey have not yet been received by the review body. When these results have been received, it will be for the review body to decide to what extent they will be made public.

SOCIAL SECURITY

Payments

Mr. Allen: To ask the Secretary of State for Social Security under what powers his Department has reduced payments after 31 July for anyone with capital between £6,000 and £8,000; and why the reduction is not mentioned in RR4 or any other public document.

Mr. Peter Lloyd: On April 27 my right hon. Friend announced that the capital limit in housing benefit was to be increased from £6,000 to £8,000 with effect from 30 May. Households affected could reapply and be paid housing benefit by their local authority from the beginning of June. At the same time my right hon. Friend announced the scheme of transitional protection; the details of which were outlined to claimants in leaflet RR4, which makes it clear that households with less than £8,000 in capital can claim a transitional payment to cover them from the beginning of April until the end of May. A claim to housing benefit from June obviously reduced the need for transitional protection. Transitional protection is therefore adjusted with effect from the date when housing benefit is paid. Clearly a cut-off date had to apply to these arrangements and so, following discussions with the local authority associations, it was decided that the period for which transitional payments could be paid in such cases in respect of the full loss would not extend beyond 31 July where there continues to be entitlement to housing benefit. Claimants who delayed a claim for new housing benefit until after that date would have their entitlement to housing benefit reflected in a reduced transitional protection from 31 July. It is open to local authorities to consider the backdating of housing benefit in these cases.

All transitional payments are extra-statutory and applicants are notified individually about circumstances affecting the calculation of their transitional payments.

National Insurance

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list each of the changes to class 1 national insurance contributions since 1979.

Mr. Peter Lloyd: The information is as follows:

Class 1 National Insurance contributions[1]

Year	LEL	UEL	Employee	Employer	Contracted out employee	Contracted out employer	Employer surcharge
	£	£	per cent.	per cent.	per cent.	per cent.	per cent.
1979-80	19·50	135·00	6·5	10·00	6·5 and 4·0	10·0 and 5·5	+3·5
1980-81	23·00	165·00	6·75	10·2	6·75 and 4·25	10·2 and 5·7	+3·5
1981-82	27·00	200·00	7·75	10·2	7·75 and 5·25	10·2 and 5·7	+3·5
1982-83	29·50	220·00					
To 1 August 1982			8·75	10·2	8·75 and 6·25	10·2 and 5·7	+3·5
From 2 August 1982			8·75	10·2	8·75 and 6·25	10·2 and 5·7	+2·0
1983-84	32·50	235·00					
To 31 July 1983			9·0	10·45	9·0 and 6·85	10·45 and 6·35	+2·0
From 1 August 1983			9·0	10·45	9·0 and 6·85	10·45 and 6·35	+1·0
1984-85	34·00	250·00					
To 30 September 1984			9·0	10·45	9·0 and 6·85	10·45 and 6·35	+1·0
From 1 October 1984			9·0	10·45	9·0 and 6·85	10·45 and 6·35	Nil
1985-86	35·50	265·00					
To 5 October 1985			9·0	10·45	9·0 and 6·85	10·45 and 6·35	
6 October 1985	35·00	265·00					
Earnings Brackets	35·50	to 54·99	5·0	5·0	5·0 and 2·85	5·0 and 0·9	
	55	to 89·99	7·0	7·0	7·0 and 4·85	7·0 and 2·9	
	90	to 129·99	9·0	9·0	9·0 and 6·85	9·0 and 4·9	
	130	to 265	9·0	10·45	9·0 and 6·85	10·45 and 6·35	
	above UEL		Nil	10·45	Nil	10·45	
1986-87	38·00	285·00					
Earnings Brackets	38·00	to 59·99	5·0	5·0	5·0 and 2·85	5·0 and 0·9	
	60	to 94·99	7·0	7·0	7·0 and 4·85	7·0 and 2·9	
	95	to 139·99	9·0	9·0	9·0 and 6·85	9·0 and 4·9	
	140	to 285	9·0	10·45	9·0 and 6·85	10·45 and 6·35	
	above UEL		Nil	10·45	Nil	10·45	
1987-88	39·00	295·00					
Earnings Brackets	39·00	to 64·99	5·0	5·0	5·0 and 2·85	5·0 and 0·9	
	65	to 99·99	7·0	7·0	7·0 and 4·85	7·0 and 2·9	
	100	to 149·99	9·0	9·0	9·0 and 6·85	9·0 and 4·9	
	150	to 295	9·0	10·45	9·0 and 6·85	10·45 and 6·35	
	above UEL		Nil	10·45	Nil	10·45	
1988-89	41·00	305·00					
Earnings Brackets	41·00	to 69·99	5·0	5·0	5·0 and 3·0	5·0 and 1·2	
	70	to 104·99	7·0	7·0	7·0 and 5·0	7·0 and 3·2	
	105	to 154·99	9·0	9·0	9·0 and 7·0	9·0 and 5·2	
	155	to 305	9·0	10·45	9·0 and 7·0	10·45 and 6·65	
	above UEL		Nil	10·45	Nil	10·45	

Reduced rate[2]	Married women[3]
	per cent.
1979-80 to 1980-81	2·0
1981-82	2·75
1982-83	3·2
1983-84 to 1988-89	3·85

LEL = Lower Earnings Limit
UEL = Upper Earnings Limit

[1] The first rate quoted, the full contribution rate, applies on earnings up to and including the Lower Earnings Limit; the second rate, the contracted out rate, applies to earnings above the Lower Earnings Limit and up to and including the Upper Earnings Limit.

[2] Payable by married women and widows with a valid certificate of election.

[3] Employers rates as quoted above, whether not contracted out or contracted out.

Reciprocal Arrangements (Irish Republic)

Mr. John Carlisle: To ask the Secretary of State for Social Security what reciprocal arrangements exist between United Kingdom social security offices and social security offices in the Irish Republic.

Mr. Peter Lloyd: The social security benefit position of EC nationals moving between the United Kingdom and the Republic of Ireland is in the main covered by the European Community social security arrangements. Liaison for these purposes between these countries' social security offices is generally undertaken through the Department's overseas branch at Newcastle upon Tyne.

Claimants (EC and Ireland)

Mr. John Carlisle: To ask the Secretary of State for Social Security if he will inquire into investigatory procedures as practised by social security officers on claimants who arrive from other EC countries or Ireland requiring immediate financial assistance; and if he will make a statement.

Mr. Peter Lloyd: We are obliged by EC law, and a Council of Europe convention, not to discriminate against European Nationals in our benefit rules, but social security officers investigate carefully all claims for immediate financial assistance.

Payments may be made as repayable crisis loans from the social fund to meet immediate short-term needs in an emergency; including such needs arising before a first payment of income support is due. In these cases, the social fund officer must satisfy himself that serious damage or a serious risk to the health or safety of the applicant or a member of his family can be prevented only by making such a payment.

Household Incomes

Mr. Nicholas Brown: To ask the Secretary of State for Social Security if he will estimate the average household income for all families with children in the current year.

Mr. Peter Lloyd: I regret that this information is not available.

Medical Appeal Tribunals

Mr. Hinchliffe: To ask the Secretary of State for Social Security what was the average length of time between applications for medical appeal tribunals and the subsequent hearing for the periods *(a)* January to March, *(b)* April to June and *(c)* July to September.

Mr. Scott: I regret that the information requested is not available.

Irish Nationals

Mr. John Carlisle: To ask the Secretary of State for Social Security what evidence has been given to him of Irish nationals arriving at United Kingdom airports and making immediate claims for benefit from social security offices.

Mr. Peter Lloyd: Citizens of the Republic of Ireland have no conditions attached to their stay and are able to claim income support in the same way as United Kingdom citizens. If my hon. Friend has evidence that the system is not working as it should, I should be grateful if he would let me have details.

"Living Options Lottery"

Mr. Alfred Morris: To ask the Secretary of State for Social Security what consideration the Minister for the Disabled has given to the findings of the survey, carried out for the Prince of Wales's advisory group on disability, entitled "Living Options Lottery"; what action is being taken; and if he will make a statement.

Mr. Scott: I have seen the report and am considering its findings.

Family Credit

Mr. Madden: To ask the Secretary of State for Social Security what is the criterion for eligibility to apply for family credit by using fast application procedures which were available for those starting work on low incomes when applying for family income supplement.

Mr. Peter Lloyd: As with family income supplement, the special procedures for claims made by people starting work after being unemployed and on benefit to enable them to be dealt with more speedily apply only to claims referred by claimant advisers in the Department of Employment. For other claims a help desk facility has been provided at the family credit unit for local social security offices to raise any cases where a claimant is in difficulties pending an award of family credit, so as to prompt urgent action.

Mr. Michael: To ask the Secretary of State for Social Security what calculation he made in reaching the conclusion that a person earning £9,300 per annum, with two children aged between 12 and 14 years could qualify for family credit; and what assumptions he made before undertaking his calculations.

Mr. Peter Lloyd: The highest gross earnings at which such a family could qualify for family credit is £9,297·60 per annum, or £178·80 a week, at the proposed rates from April 1989. The calculation is as follows:

	£
Maximum family credit is:—	
Adult credit	33·60
Child credit	12·90
Child credit	12·90
	59·40
Maximum credit	59·40
Less	58·89
Family credit payable	[3] 0·50
Gross earnings	178·80
Deductions	
tax[1]	23·76
national insurance contributions[2]	16·10
Net	138·94

[1] Assumes tax allowances increased in line with inflation.
[2] At the levels proposed for April 1989, as announced.
[3] 50p is the minimum amount of family credit payable.
The amount to be taken into account against the maximum credit is 70 per cent. of the excess over the family credit 'threshold' of 54·80 = 138·94—54·80 × 70 per cent. = £58·898.

Mr. Hinchliffe: To ask the Secretary of State for Social Security how many claimants currently in receipt of family credit were previously in receipt of family income supplement.

Mr. Peter Lloyd: This information will not be available until early in the new year.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what is the current total of family credit cases being handled by his Department; and what percentage of the total eligible to claim this represents.

Mr. Peter Lloyd: At the end of October, 248,000 families were receiving family credit, and 57,500 claims were awaiting determination. A precise estimate of the number of families eligible for family credit, and therefore what percentage is represented by those already in receipt, cannot be made until information from the 1988 family expenditure survey is available.

Family Credit (Bradford)

Mr. Madden: To ask the Secretary of State for Social Security (1) what is the average delay in Bradford between the receipt of an application for family credit and that application being determined; where information about family credit and forms and guidance notes to apply for family credit is available in Bradford; and in what languages this material is available;

(2) how many applicants in Bradford for family credit *(a)* have been accepted, *(b)* have been refused and *(c)* are still under consideration.

Mr. Peter Lloyd: Family credit is dealt with centrally, and information is not available on a local basis. Claim forms and leaflets are available at post offices and social security offices or by telephoning Freeline Social Security 0800 500 222. Information on all social security benefits is

also available by telephoning 0800 666 555. As with other departmental claim forms the family credit claim form is available in English only: people who have difficulty in completing the claim form because of this can seek help from the local social security office.

Mr. Madden: To ask the Secretary of State for Social Security what proportion of families in Bradford are in receipt of family credit; what estimates about the level of take-up this represents have been made; and what action he is taking in Bradford to increase the take-up of family credit and to reduce delays in applications being determined.

Mr. Peter Lloyd: Family credit is dealt with centrally and information is not available on a local basis. For details of the measures we are taking to increase take-up I refer the hon. Member to my reply to my hon. Friend the Member for Brentwood and Ongar (Mr. McCrindle) on 4 November at column *810*. For details of the measures we are taking to reduce delays in dealing with claims, I refer the hon. Member to my reply to my hon. Friend the Member for Dorset, North (Mr. Baker) on 9 November.

SERPS

Mrs. Mahon: To ask the Secretary of State for Social Security how many *(a)* women and *(b)* men receive more than £15 a week from SERPS.

Mr. Peter Lloyd: As at 31 March 1988, a total of 33,000 men and 4,130 women were in receipt of at least £15 from SERPS.

State Pensions

Mrs. Mahon: To ask the Secretary of State for Social Security what was the proportion of the average male wage represented by the basic state pension on *(a)* 24 April 1981 and *(b)* 24 April 1988.

Mr. Peter Lloyd: The information requested is as follows:

	Per cent.
April 1981	22·6
April 1988	20·5

The earnings figures used are all full-time male manual earnings on adult rates where earnings are unaffected by absence. Full basic state retirement pension for a single person is used in the calculations. Although a date is given when the new earnings survey is carried out (20 April in 1988) employers sometimes provide monthly information. April figures are therefore quoted.

Benefit Entitlement

Mr. Win Griffiths: To ask the Secretary of State for Social Security (1) if he will make it his policy that the rules currently governing the payment of pensions and benefits will not be changed to exclude people who currently receive them and could be expected to receive them in the near future;

(2) if he will make it his policy that no person in receipt of a pension or benefit of any kind will lose it as a result of his expressed intention to target help to those he defines as poor.

Mr. Scott: We have no plans to alter the basis on which the basic state pension is paid, or to introduce any modification to our reform of the state earnings-related pension scheme. It is not our intention that anyone in receipt of retirement pension or any other benefit should lose entitlement as a result of our plans to make additional resources available to pensioners on lower incomes.

Social Fund

Mr. Hinchliffe: To ask the Secretary of State for Social Security what analysis of the social fund figures contained in deposited papers No. 25 in the Library is being undertaken by his Department.

Mr. Peter Lloyd: The Department is closely monitoring the levels of demand and expenditure on the social fund.

Appeal Tribunals

Mr. Hinchliffe: To ask the Secretary of State for Social Security what was the average length of time between applications for social security appeal tribunals and the subsequent hearings for the periods *(a)* January to March, *(b)* April to June and *(c)* July to September.

Mr. Peter Lloyd: The latest available statistics relate to appeals heard in the year ending 31 December 1987. The average time between date of lodgement of an appeal and date of hearing in the four quarters of 1987 was as follows:

	weeks
Quarter ending 31 March	18·2
Quarter ending 30 June	20·3
Quarter ending 30 September	23·2
Quarter ending 31 December	24·1
Average for the year	21·7

Single Parents

Mr. Frank Field: To ask the Secretary of State for Social Security if he will state the number of single parents drawing supplementary benefit in 1974, 1979 and for the latest date; and if he will also state separately the number of dependants.

Mr. Peter Lloyd: The information requested is as follows. The figures exclude cases of temporary separation and prisoners' wives.

(000)

	November 1974	*November 1979*	*May 1987*
Numbers of lone parents	265	318	659
Number of children under 16	503	539	1,037
Number of dependants over 16	12	19	57
Total of dependants (all ages)	514	558	1,094

Source: annual statistical inquiries 1974, 1979 and 1987

Pensioners

Mr. Frank Field: To ask the Secretary of State for Social Security if he will state *(a)* the total number of pensioners and *(b)* the number and percentage of those who have no income apart from the state pension and income support.

Mr. Peter Lloyd: As at 31 March 1988 there were nearly 9·8 million pensioners. In 1986 there were just under 7

million pensioner units (a pensioner unit is a single person over state pension age or a married couple where the husband is aged 65 or over) of whom approximately 1·4 million (just under 20 per cent.) had no income from earnings, occupational pensions or savings. This information is taken from the 1986 family expenditure survey, and is the latest available.

Income Support

Mr. Hinchliffe: To ask the Secretary of State for Social Security if he will bring forward proposals to allow for payments made under section 27 of the Child Care Act 1980 to be disregarded for income support purposes.

Mr. Peter Lloyd: There is already provision to disregard the first £5 a week of any regular payments of this sort; any payment for housing or accommodation costs not met by benefit and all regular payments in kind. In addition, the first £250 of any irregular payments made in a 52-week period is treated as capital: the limit will be removed later this year.

Low-income Families

Mr. Nigel Griffiths: To ask the Secretary of State for Social Services if he will publish in the *Official Report* a table showing individuals below various percentiles of the income distribution, before adjustment for household size and composition, analysed by economic status, using household disposable income after housing costs, in the manner of table D1 of the recent DHSS publication, "Households Below Average Income: A Statistical Analysis, 1981-85".

Mr. Nigel Griffiths: To ask the Secretary of State for Social Services if he will publish in the *Official Report* a table showing individuals in each of the five lowest decile groups of the income distribution, before adjustment for household size and composition, analysed by economic status, using household disposable income after housing costs, in the manner of table D1 of the recent DHSS publication, "Households Below Average Income: A Statistical Analysis, 1981-85".

Mr. Peter Lloyd *[holding answer 22 June 1988]:* As explained in paragraph 1.2 of Cm. 523 "The Measurement of Living Standards For Households Below Average Income", the "Households Below Average Income" statistics are designed to provide various measures of the numbers of people with different living standards. And, as paragraphs 2.6 and 2.7 of Cm. 523 further explain, it is the Government's view that allowing for the size and composition of households is an essential part of this process.

Nevertheless, the "Households Below Average Income" statistics can be adjusted so that they do not take account of household size and composition. One such approach is to assume that all households with a given income achieve the same standard of living. In other words, a household composed of two adults and several children is assumed to achieve the same living standard from an income of £100 as a household including only one adult and no children. Alternatively, in order to give some recognition to household size (if not to composition), each individual within each household can be given equal weight. This per capita approach carries with it the implication that, in order to achieve the same living standard, a baby must consume the same resources as an adult.

Although neither of these approaches is meaningful, and although the methods of both these approaches is inconsistent with the objectives of the "Households Below Average Income" statistics, figures on both bases for table D1 have been put in the Library. The Government have no doubt that equivalisation is necessary to the measurement of living standards.

Departmental Switchboard (Efficiency)

Mr. Blunkett: To ask the Secretary of State for Social Security what is the average time taken by his Department's telephone switchboard to answer external telephone calls; and what steps he is taking to improve it.

Mr. Peter Lloyd *[holding answer 3 November 1988]:* Answering external telephone calls on the switch board for Richmond house and a number of other Whitehall offices is the responsibility of the Central Computer and Telecommunications Agency (CCTA). It employs British Telecommunications telephonists and aims for an average 25 seconds response time for each call. We are content that this provides a satisfactory level of service, but CCTA is looking at ways to improve upon this response time.

SCOTLAND

Disabled People (Access)

Mr. Wigley: To ask the Secretary of State for Scotland how many of the building control authorities in Scotland have designated access officers to assist on matters relating to access for disabled people.

Mr. Michael Forsyth: I understand that all 50 building control departments have designated access officers.

School Meals

Mr. Battle: To ask the Secretary of State for Scotland if he will publish a table showing how much expenditure on school meals has changed in cash and real terms each year between 1979 and the latest date available for Scotland.

Mr. Michael Forsyth: The information is as follows:

£000's

Year	*Cash (net expenditure)*	*Adjusted to 1988-89 prices using the GDP deflator*
1978-79	34,057	73,040
1979-80	37,939	69,620
1980-81	38,495	59,597
1981-82	39,896	56,186
1982-83	40,234	52,895
1983-84	41,828	52,522
1984-85	41,859	50,835
1985-86	42,847	48,620
1986-87	44,638	49,045

Note. Figures for 1987-88 are not yet available.

Mr. Battle: To ask the Secretary of State for Scotland if he will publish a table showing the average price of a school meal in *(a)* primary and *(b)* secondary schools for each year since 1979 to 1988 in 1988 prices in Scotland.

Mr. Michael Forsyth: The information is set out in the table:

Charge for a fixed price school meal adjusted to 1988-89 prices using the GDP deflator

(Pence)

Region or Islands Authority	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
Borders	55·1	64·2	54·2	56·3	55·2	55·2	55·3	54·5	54·9	52·3
Central	55·1	64·2	54·2	49·3	52·6	56·5	54·1	56·7	60·4	60·6
Dumfries and Galloway	55·1	64·2	61·9	63·4	65·7	62·8	62·5	62·4	63·7	63·7
Fife	55·1	64·2	54·2	56·3	59·2	60·3	60·1	59·0	60·4	52·3
Grampian	55·1	64·2	65·0	[1]59·1	[1]55·2	[1]56·5	[1]60·1	[1]62·4	[1]63·7	[1]62·7
				[2]63·4	[2]59·2	[2]69·1	[2]72·2	[2]73·8	[2]74·6	[2]73·2
Highland	55·1	64·2	61·9	70·4	65·7	62·8	66·1	62·4	71·3	67·9
Lothian	55·1	64·2	54·2	49·3	59·2	56·5	[1]60·1	[1]56·7	[1]54·9	[1]52·3
							[2]66·1	[2]62·4	[2]60·4	[2]57·5
Strathclyde	55·1	64·2	69·1	63·4	65·7	66·5	66·1	65·8	67·0	65·8
Tayside	55·1	64·2	61·9	63·4	[1]59·2	[1]56·5	60·1	62·4	65·9	62·7
					[2]65·7	[2]62·8				
Orkney	55·1	64·2	54·2	56·3	67·5	62·8	60·1	62·4	65·9	62·7
Shetland	55·1	64·2	54·2	49·3	46·0	56·5	60·1	56·7	60·4	62·7
Western Isles	55·1	64·2	54·2	56·3	59·2	75·3	72·2	73·8	71·3	67·9

[1] Primary.
[2] Secondary.

Notes:
1. Except where indicated otherwise, the same charge applied to both primary and secondary schools.
2. Prior to 1981 Charges for a fixed price school meal were set by Statutory regulation on national basis. The charges shown for 1979 and 1980 were applied from 15 August 1979 and 4 February 1980.

Teachers (Statistics)

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total number of *(a)* female and *(b)* male teachers holding promoted posts, at all levels, in (i) primary and (ii) secondary level.

Mr. Michael Forsyth: The information requested, taken from the school census held in September 1987, is set out in the table:

Numbers[1] of teachers holding promoted posts in education authority schools, Scotland, 1987

Type of school	*Male*	*Female*
Primary	985	2,986
Secondary	9,097	3,550

[1] Full-time equivalents.

School Boards

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will detail in the *Official Report* the training provision to be made for *(a)* parent and *(b)* teacher members of school boards.

Mr. Michael Forsyth: There is no differentiation between the central training provision to be made for parent and staff members of school boards. The training programme currently being developed by the Scottish Education Department will offer a wide range of choice to individual boards and board members and boards themselves will be free to choose training appropriate to their own circumstances.

I have already announced details of the programme and have arranged for copies of that announcement to be placed in the House Library.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland whether his Department is prepared to meet the cost of releasing teachers to be members of school boards.

Mr. Michael Forsyth: Like other members of a school board, staff members will serve on a voluntary basis in their own time. We shall be encouraging boards to meet at times—such as in the evening—which will be convenient for working people in order to enable a wide cross-section of the community to participate in the work of the boards.

Mobile Creche Facilities

Mr. Wallace: To ask the Secretary of State for Scotland what information he has on the provision by local authorities in Scotland of mobile creche facilities; and if he will make a statement.

Mr. Michael Forsyth: The latest figures, for year ending 31 March 1987, show that the following playbus facilities were provided by Strathclyde regional council and the Western Isles islands council.

	Number of buses	*Number of groups serviced*	*Number of children accommodated*
Strathclyde	4	15	184
Western Isles	2	61	732

Green Belt Boundaries

Mr. Ron Brown: To ask the Secretary of State for Scotland if he has received recent representations from the Scottish Ramblers' Association concerning the review of green belt boundaries by Lothian regional council; and if he will make a statement.

Lord James Douglas-Hamilton: Both my right hon. and learned Friend and I have just received letters from the Ramblers' Association in connection with this review. A full reply to the points raised by the association in its letters will be sent shortly but its general concern is over our commitment to the green belt and I can confirm that the Government stand by the maintenance of effective green belts and want to establish confidence in their

permanence. The responsibility for the review itself rests with Lothian region and the districts who participated in the exercise. It is for the planning authorities concerned to decide how the green belt boundaries are drawn.

YTS

Mr. McLeish: To ask the Secretary of State for Scotland how many 16 and 17-year-olds were eligible but had not been placed on YTS at the date when the most recent information was available.

Mr. Lang *[holding answer 7 November 1988]:* All 16 and 17-year-olds are eligible to apply for YTS but many do not do so. Excluding this summer's school leavers, on 2 November there were 6,592 young people who had applied for a YTS place and were receiving bridging allowance, as against some 12,000 unfilled YTS places.

Mr. McLeish: To ask the Secretary of State for Scotland if he will provide an estimate of the total number of 16 and 17-year-olds who will not have received an offer of a YTS place on the termination of the bridging allowance on 5 November in Scotland.

Mr. Lang *[holding answer 7 November 1988]:* It is the responsibility primarily of the local authority careers service to ensure that young people who have applied for a YTS place, and made themselves available to discuss possible places, are put in contact with managing agents to ensure they are offered a start on a YTS scheme before the end of the guarantee period. I am satisfied that the Training Agency has made available more than sufficient places to meet the potential uptake and I have therefore made no national estimate of a shortfall in offers.

AGRICULTURE, FISHERIES AND FOOD

Radioactivity

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what results he has of his two recent surveys carried into post-Chernobyl radioactivity in Cumbria by *(a)* multi-wheeled vehicles, and *(b)* helicopter: and if he will make a statement.

Mr. Donald Thompson: Full results are not yet availabe from the recent aerial survey of the post-Chernobyl restricted area which was supported by surface monitoring using multi-wheeled vehicles. The results will be published in the usual way as soon as possible.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many samples of sheep milk were taken in *(a)* Cumbria, *(b)* Lancashire and *(c)* England to test for radioactivity for each month, respectively, since the Chernobyl accident: and if he will make a statement.

Mr. Donald Thompson: Full details of samples of sheep milk and of all other categories of produce monitored following the Chernobyl accident are regularly published and are available in the Library of the House.

EC (Food Aid)

Mrs. Maureen Hicks: To ask the Minister of Agriculture, Fisheries and Food if he will define the current policy with regard to the distribution of European Economic Community butter and in some instances, canned stewed steak, and in particular who is eligible.

Mr. Ryder: I assume that my hon. Friend's question relates to the European Community's surplus food scheme. There has been no change in the policy announced by the then Minister of State, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) in response to a question from my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss) on 21 April. Details of the eligibility criteria were also given by my right hon. Friend in response to a further question by the hon. Member for Newport, East (Mr. Hughes) on 19 July.

BSE

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food, further to his reply of 3 November, *Official Report*, columns *747-48*, which organisation first raised with his Department the need for a compensation scheme for farmers with stock affected by BSE: and if he will make a statement.

Mr. Donald Thompson: According to my Department's records, the possibility of introducing compulsory slaughter with compensation was first raised at a meeting held on 1 June this year between my officials and a number of organisations. These included the British Veterinary Association, the Farmers' Union of Wales, the Milk Marketing Board, the National Cattle Breeders' Association, the National Farmers' Union and the Royal College of Veterinary Surgeons.

Apples

Mr. Taylor: To ask the Minister of Agriculture, Fisheries and Food what quantity of apples has been destroyed or converted under European Community arrangements in each of the most recent five years for which figures or estimates are available for the European Economic Community; and what has been the expenditure in each year on such disposals.

Mr. Ryder *[holding answer 8 November 1988]:* The following figures show the amounts of apples withdrawn under the EC intervention arrangements which were either converted to animal feed or industrial alcohol or which found no other destination and were therefore wasted; and the cost of these withdrawal operations to Community funds; for the last five years for which these are available:

	Amounts Tonnes	*Cost to FEOGA mecu*
1982-83	1,121,011	124·9
1983-84	120,849	14·0
1984-85	643,851	69·0
1985-86	178,592	21·4
1986-87	343,325	40·9

Mr. Taylor: To ask the Minister of Agriculture, Fisheries and Food what are the current levels of apple stocks in the European Economic Community.

Mr. Ryder *[holding answer 8 November 1988]* The most recent available figure for Community stocks of apples is for 1 February 1988 when the figure was 2·4 million tonnes. Figures for the new Community crop are not normally available until later in the year.

Barnes Review

Mr. Bermingham: To ask the Minister of Agriculture, Fisheries and Food what is the share of cuts to be

implemented under the Barnes review of agricultural research and development for each of the annual periods commencing from April 1989; and if he will make a statement.

Mr. Ryder *[holding answer 9 November 1988]:* Final decisions on the future level of Government funding of agricultural research and development following the Barnes review will not be made until after consultations with industry have been completed. As announced in November 1987, planned expenditure on R and D by agriculture departments will be reduced by £5 million in 1989-90 and by a further £5 million in 1990-91. This year's autumn statement announced a further £5 million reduction for 1990-91 and an additional £9 million for 1991-92. Together, these reductions amount to a total of £24 million by 1991-92, which is equivalent to £30 million at full: economic cost. However, there will be an increase in the strategic research funded from the agriculture, fisheries and food programme of £2 million in 1990-91 and a further £3 million in 1991-92.

DEFENCE

Overseas Students (Military Training)

Mr. Andrew Smith: To ask the Secretary of State for Defence how many overseas students have attended United Kingdom military training establishments for each year from 1978.

Mr. Freeman: The number of overseas students who have attended military training courses in the United Kingdom since financial year 1981-82 is as follows:

	Number
1981-82	5,636
1982-83	4,602
1983-84	5,188
1984-85	5,447
1985-86	5,167
1986-87	5,480
1987-88	4,858

Figures for earlier years are not held centrally and could be provided only at disproportionate cost.

Land Disposal

Mr. Doran: To ask the Secretary of State for Defence if he will reconsider the way his Department places a valuation on publicly owned land to be disposed of.

Mr. Freeman: No. Before disposing of surplus property we obtain professional advice either from within MOD, from the district valuer or from commercial consultants. They prepare valuations of surplus property on the basis of full open market value taking account of existing or established uses and, when appropriate, development potential.

RAF Bases (Western Isles)

Mr. Macdonald: To ask the Secretary of State for Defence if he will make a statement on the future of the Royal Air Force bases in the Western Isles.

Mr. Archie Hamilton: There are no current plans to change the operational role of either RAF Stornoway or RAF Benbecula.

Relocation

Mr. Devlin: To ask the Secretary of State for Defence what plans he has to move officials of his Department into the regions.

Mr. Sainsbury: As I told the House during the recent debate on the Defence Estimates, the successful transfer of 1,400 jobs to Glasgow under the 1979 dispersal programme is almost complete. We are now examining a range of further relocation possibilities which should significantly reduce the amount of work that must remain in London.

Hovercraft Minehunting

Mr. Barry Field: To ask the Secretary of State for Defence if, in the light of the Gulf patrols to protect civilian shipping, he has any plans to resurrect hovercraft minehunting trials.

Mr. Archie Hamilton: No, but we continue to take an interest in the possible use of hovercraft in any military role for which they might be suitable.

Warsaw Pact

Mr. Patrick Thompson: To ask the Secretary of State for Defence what information he has on measures the Warsaw pact is taking to modernise its nuclear and conventional forces.

Mr. Archie Hamilton: The most recent and comprehensive account of the modernisation of the Warsaw Pact's conventional and nuclear forces can be found in chapter 6 of this year's statement on the Defence Estimates (Cm. 344-I). As the statement makes clear, there has been no let-up in the Soviet Union's military modernisation programme, despite improvements in East-West relations.

Defence Expenditure

Mr. Blunkett: To ask the Secretary of State for Defence by how much United Kingdom spending on defence as a proportion of the gross domestic product exceeds the average combined spending for other members of the EEC; and what is this proportion expressed in cash terms.

Mr. Archie Hamilton: On the latest available estimates of GDP and defence spending for European Community countries in the calendar year 1987, United Kingdom defence expenditure exceeds the average for other member states by 1·6 per cent. When related to United Kingdom GDP this represents a figure approaching £7 billion.

Stealth Systems

Sir Eldon Griffiths: To ask the Secretary of State for Defence what research and development work he has commissioned into low-observable stealth systems; and what arrangements there are for the integration into NATO airforces of stealth type aircraft.

Mr. Archie Hamilton: The Ministry of Defence is conducting a programme of basic applied research relating to low observable air systems. This programme is aimed at understanding the techniques and technologies involved, with a view to the application to future generations of fixed wing aircraft, air-launched weapons, helicopters and unmanned aircraft.

There are no plans to introduce stealth aircraft into RAF service in the near future. It is not our practice to comment on the plans of other NATO air forces.

European Fighter Aircraft

Mr. Jack: To ask the Secretary of State for Defence what progress has been made towards signature of the main development contracts of the European fighter aircraft; and if he will make a statement.

Mr. Younger: I am pleased to inform my hon. Friend that Spain signed yesterday the memorandum of understanding for full development of the European fighter aircraft (EFA). This follows its signature by Germany, Italy and the United Kingdom earlier this year, and represents an important step in the successful progress of European collaboration in aerospace. Very few contractual issues now remain to be resolved, and I hope that it will be possible to sign the main contracts for full development of the EFA in the next few days.

Challenger 2 Tank

Mr. Menzies Campbell: To ask the Secretary of State for defence what representations he has had about the purchase of the Challenger 2 tank; and if he will make a statement.

Mr. Sainsbury: My right hon. Friend has received a number of representations on this subject. He is considering the time scale in which the Chieftain tank might need to be replaced and the options available for doing so.

Clyde Safety Scheme

Mrs. Ray Michie: To ask the Secretary of State for Defence how frequently the Clyde safety scheme is tested; and if he will detail the range of possible nuclear reactor accident scenarios under which this testing is carried out.

Mr. Archie Hamilton: The Clyde area public safety scheme is exercised four times a year. In addition, there is a major field exercise every three years. These exercises envisage a range of accidents greater than the maximum design accident in order to examine the consequences outside the naval base of such accidents.

Mrs. Ray Michie: To ask the Secretary of State for Defence if he will publish the details of the basis for the Royal Navy's estimates of the probability of nuclear reactor accidents on the Clyde.

Mr. Archie Hamilton: No, but we judge that the possibility of an accident involving a defence nuclear reactor giving rise to a release of radioactivity is extremely remote.

AWRE (Incident)

Ms. Ruddock: To ask the Secretary of State for Defence if he will make a statement on an incident which occurred at the Aldermaston atomic weapons research establishment on Tuesday 8 November at 7.10 am involving evacuation from a building; and if any radiation leak was involved.

Mr. Archie Hamilton: I can confirm that an automatic alarm system triggered falsely at the atomic weapons establishment at Aldermaston on Tuesday 8 November. The work force's entry to the area was delayed until it was clear that it was safe. This was the same alarm that triggered falsely on Friday 28 October. On neither occasion was there any leak of radiation.

Royal Ordnance plc

Mr. Fisher: To ask the Secretary of State for Defence whether he will list the patents, sold by Her Majesty's Government in 1986 to Royal Ordnance factories, which relate to work undertaken at the Royal Ordnance factory at Radway Green.

Mr. Sainsbury *[holding answer 4 November 1988]:* No patents were sold to Royal Ordnance in 1986. The scheme made by the Secretary of State pursuant to the Ordnance Factories and Military Services Act 1984 transferred to Royal Ordnance assets (including patents) effective 2 January 1985. The document referred to in *The Sunday Times* article of 30 October was a patent office formality requirement and merely confirmed the earlier transfer.

Of the patents transferred under the scheme none originated at the Royal Ordnance factory, Radway Green.

Work currently undertaken at Radway Green is under the sole control of Royal Ordnance and is its commercial concern. We are unable therefore to comment on whether or not any of the transferred patents relate to work undertaken at Radway Green.

Contractors

Mr. Nellist: To ask the Secretary of State for Defence how many United Kingdom-based contractors which were paid £5 million or more by his Department in 1986-87 did not qualify for appearance on page 15 of the "Statement of the Defence Estimates 1988" (Volume 2) for security reasons.

Mr. Sainsbury *[holding answer 9 November 1988]:* In accordance with the practice of successive Governments, the information requested cannot be disclosed because of security considerations.

Mr. Nellist: To ask the Secretary of State for Defence if he will define the term headquarter contract with respect to awards made to contractors by his Department; and what type of contracts awarded by his Department are not included in this category.

Mr. Sainsbury *[holding answer 9 November 1988]:* Headquarter contracts cover the main defence equipment projects and the principal defence contracts which are handled centrally, including, for example, those for maintenance and spares. Excluded from this category are local purchase orders placed under delegated powers by service units and Ministry of Defence establishments.

Mr. Nellist: To ask the Secretary of State for Defence if he will list in the *Official Report* the precise amounts paid to each of the following contractors by his Department in the year ended 31 March 1988 *(a)* The General Electric Co. plc, *(b)* Rolls-Royce Ltd., *(c)* British Telecommunications plc, *(d)* Lucas Industries plc, *(e)* BTR plc, *(f)* Austin Rover Group Ltd., *(g)* United Scientific Holdings plc, *(h)* Courtaulds plc and *(i)* Massey Ferguson Holdings Ltd.

Mr. Sainsbury *[holding answer 9 November 1988]:* The payments made to each of these companies in the year ended 31 March 1988 in respect of headquarters contracts were as follows:

	£ million
a. The General Electric Company plc	1,035·0
b. Rolls-Royce Ltd.	420·0
c. British Telecommunications plc	70·0
d. Lucas Industries plc	55·0
e. BTR plc	26·0
f. Austin Rover Group Ltd.	50·0
g. United Scientific Holdings plc	25·0
h. Courtaulds plc	8·5
i. Varity Holdings Ltd. (formerly Massey Ferguson Holdings Ltd.)	12·0

Royal Ordnance plc

Mr. Bellingham: To ask the Secretary of State for Defence if he will make an up-to-date statement on the future of Royal Ordnance plc.

Mr. Sainsbury: The Ministry of Defence sold Royal Ordnance plc to British Aerospace in April 1987, and is therefore no longer responsible for the affairs of the company. Royal Ordnance is a registered defence contractor, and, amongst other things, is contracted to supply, over the next five years, 80 per cent. of the Ministry of Defence's requirements for certain explosives, propellants and related end-products. The company will continue to be invited to bid in the future for MOD business which it has the capabilities to undertake.

Mr. Graham: To ask the Secretary of State for Defence at what level within his Department discussions were held with British Aerospace concerning the possible sale of Royal Ordnance factories *(a)* before and *(b)* after privatisation; and if he will make a statement.

Mr. Sainsbury *[holding answer 4 November 1988]:* During discussions at various levels between the bidders and my Department, it was made clear that decisions about rationalising and restructuring the company would be a matter for the commercial judgment of the successful bidder, although RO's existing plans were included in the information circulated to interested buyers. There were no discussions with bidders about the possible closure or sale of particular sites.

NORTHERN IRELAND

Payments for Debt Act

4. **Mr. Allen McKay:** To ask the Secretary of State for Northern Ireland what representations he has received seeking the repeal of the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971.

14. **Ms. Armstrong:** To ask the Secretary of State for Northern Ireland if he has any plans to repeal the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971.

Mr. Ian Stewart: In the last year there have been a number of questions on this subject from hon. Members and a letter from Derry city council.

19. **Mr. McCartney:** To ask the Secretary of State for Northern Ireland if he has recently met with groups seeking a repeal of the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971.

Mr. Ian Stewart: There have been no such meetings on this subject recently.

Irish Language

6. **Mr. Simon Hughes:** To ask the Secretary of State for Northern Ireland if he will make a statement on the role of the Irish language in his Department's education reform proposals.

Dr. Mawhinney: The position accorded to the Irish language in the decisions on education reforms announced last month recognises the wish of a great many schools in Northern Ireland to teach Irish. A full programme of study will be provided for Irish, with associated assessment arrangements. Irish will therefore enjoy the same degree of educational esteem as other elements within the prescribed curriculum.

Anglo-Irish Agreement

15. **Mr. Andrew Hunter:** To ask the Secretary of State for Northern Ireland if he will make a further statement on his assessment of the working of the Anglo-Irish Agreement.

Mr. Tom King: We shall be assessing the working of the Intergovernmental Conference in the course of the review under article 11 of the Agreement. Generally, I believe that the Agreement can bring considerable benefit to all law-abiding people in Northern Ireland.

25. **Mr. Flannery:** To ask the Secretary of State for Northern Ireland if he will make a statement on the purpose of the review of the Anglo-Irish Agreement.

Mr. Tom King: Article 11 of the Agreement makes clear that the purpose of the review of the working of the Intergovernmental Conference is to see whether any changes in the scope or nature of its activities are desirable.

Mr. Lewis: To ask the Secretary of State for Northern Ireland when he expects the review of the Anglo-Irish agreement to have been completed.

Mr. Tom King: As the two Governments announced in the statement issued after the meeting of the Intergovernmental Conference on 2 November, we expect the review of the working of the conference to be completed in the early part of 1989.

Health and Social Services

17. **Mr. Meale:** To ask the Secretary of State for Northern Ireland when he last met Health and Social Service trade unions in Northern Ireland to discuss problems in health care services in the Province; and if he will make a statement.

Mr. Needham: I met representatives of the Royal College of Nursing on 29 February and the British Medical Association on 27 June 1988. On 6 September last I received a delegation from the Northern Ireland committee of the Irish Congress of Trade Unions, which included representatives of COHSE, NUPE and NIPSA.

Discussion at those meetings was wide ranging and included the implementation of the regional strategy, funding and competitive tendering.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland what was the cost of the feasibility survey on Northern Ireland health care services completed in 1987 by United Medical Enterprises; and if he will list the main recommendations of that survey.

Mr. Viggers *[holding answer 9 November 1988]:* £35,000. The survey found that Northern Ireland possesses the skills and the commitment to enter into the overseas health care market. Four key areas with commercial potential were identified as:

the availability of skilled staff
a capacity to provide training in a wide range of health professions
the supply of goods and equipment
the treatment of private patients

The full survey report is available from the Library.

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland what is the purpose and precise terms of reference of the study of Northern Ireland health care services presently being undertaken by United Medical Enterprises.

Mr. Viggers *[holding answer 9 November 1988]:* The objectives of the present United Medical Enterprises study are:

To evaluate the expertise that exists in the identified key areas and quantify the resources available.

The key areas are:

availability of staff
capacity to provide training
supply of goods and equipment
the treatment of private patients

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland why United Medical Enterprises was chosen to survey and study Northern Ireland health care services; and if he will make a statement on the likely cost of its most recently commissioned study.

Mr. Viggers *[holding answer 9 November 1988]:* After considering other companies with the potential to carry out this type of work, UME was selected because of its expertise in this field to undertake a feasibility study in 1987 and the further current detailed study.

The current study is being supported by staff made available by DHSS(NI) and it is estimated that the total public sector commitment of phase II of this study will amount to around £80,000.

Security

18. **Mr. Leigh:** To ask the Secretary of State for Northern Ireland if he will make a statement on the current security position in Northern Ireland.

Mr. Tom King: I refer my hon. Friend to the answer I gave earlier today to the hon. Member for Mid-Ulster (Rev. William McCrea).

Harland and Wolff

20. **Mr. Ashdown:** To ask the Secretrary of State for Northern Ireland what representations he has received concerning the future of Harland and Wolff; and if he will make a statement.

Mr. Viggers: My right hon. Friend and I have met the board of Harland and Wolff, representatives of the Confederation of Shipbuilding and Engineering Unions and the Alliance party for Northern Ireland for discussions about the future of the company. Several letters on this subject have also been received including those from a number of Northern Ireland district councils, the hon. Members for Leicester, South (Mr. Marshall) and for Warrington, North (Mr. Hoyle) and Dr. John Alderdice of the Alliance party for Northern Ireland.

Constitutional Reform

21. **Mr. Stanbrook:** To ask the Secretary of State for Northern Ireland if he will consider proposals for constitutional reform in Northern Ireland based upon the redrawing of the border, the provision of generous resettlement grants for those affected who may wish to move across the new border in either direction, and the subsequent total integration of the Province with the rest of the United Kingdom.

Mr. Tom King: I refer my hon. Friend to the answer given to him by my right hon. Friend the Prime Minister on 20 October at columns *1003-4*.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on what date he received the written proposals from the Unionist parties for political progress in Northern Ireland; and whether he has yet made a full written response.

Mr. Tom King: The right hon. Member for Lagan Valley (Mr. Molyneaux) and the hon. Member for Antrim, North (Rev. Ian Paisley) handed me a three page "discussion paper" in the course of my meeting with them on 26 January. I had thorough discussion of this paper with them on 11 May. In the course of our talks, the Unionist leaders stressed to me that they wished their "discussion paper" to be treated on a strictly confidential basis; that it was only an outline of their ideas; and that it represented only a starting point for negotiations with the other constitutional parties. I have sought to respect the status of their paper and the basis on which it was given to me.

As I have said on a number of occasions, this "discussion paper" seems to me to set out a constructive approach. I believe the next step is to find ways of moving towards an inter-party dialogue. While I recognise the obstacle that was then created for the Unionist parties by the talks between tne SDLP and Sinn Fein, that obstacle has now disappeared. I have since suggested to the Unionist leaders that we should meet again shortly to discuss the way forward and to clarify the basis on which their outline proposals might be further considered.

Integrated Education

22. **Mr. Favell:** To ask the Secretary of State for Northern Ireland if he has any further plans to assist the integration of school children of different religious persuasions in the Province.

Dr. Mawhinney: The Government have announced their intention, as part of the education reforms in Northern Ireland, to legislate for a range of significant new measures. These are designed to promote and encourage the development of integrated education, including the creation of grant-maintained integrated schools.

Leisure and Recreation

23. **Mr. Litherland:** To ask the Secretary of State for Northern Ireland if he has received any recent representations from organisations in the field of leisure and recreation.

Dr. Mawhinney: Yes; 31.

Remissions

24. **Mr. Alexander:** To ask the Secretary of State for Northern Ireland what remission convicted criminals, including those convicted of terrorism and murder, automatically receive in Northern Ireland; and if he will make a statement.

Mr. Ian Stewart: A prisoner sentenced to a fixed term of imprisonment is eligible for 50 per cent. remission. The mandatory sentence for murder is life imprisonment, or detention during pleasure if the offender was under 18 at the time of the crime, and such sentences by their nature do not attract remission.

Broadcasting

26. **Mr. Parry:** To ask the Secretary of State for Northern Ireland if he will make a statement on the implications for Northern Ireland of the restriction recently imposed on the broadcasting authorities.

Mr. Tom King: I very much welcome the Home Secretary's recent announcement. The vast majority of people in Northern Ireland, as elsewhere in the United Kingdom, find it deeply offensive to see the terrorists and their allies appearing on radio and television, particularly in the wake of terrorist outrages, justifying their actions while at the same time being accorded the same courtesies as constitutional politicians.

Short Brothers

27. **Sir Michael McNair-Wilson:** To ask the Secretary of State for Northern Ireland, if he will make a statement on progress in the possible privatisation of Short Brothers.

Mr. Viggers: Since I announced to the House on 21 July our readiness to consider suitable proposals for the privatisation of Shorts, the Government have appointed Kleinwort Benson as their merchant banking advisers and Norton Rose as their legal advisers. My officials and the advisers are preparing a sales memorandum for issue to prospective purchasers. A number of companies and organisations have expressed an interest in Shorts.

Criminal Evidence Order 1988

28. **Mr. Battle:** To ask the Secretary of State for Northern Ireland what representations he has received on the draft Criminal Evidence Order 1988.

Mr. Ian Stewart: The Government received four letters.

Mr. Cohen: To ask the Secretary of State for Northern Ireland if he will make a statement on the draft Criminal Evidence Order 1988.

Mr. Ian Stewart: I refer the hon. Member to the written answer of my right hon. Friend on 20 October, at column 996, to my hon. Friend the Member for Nuneaton (Mr. Stevens). The draft order was fully debated in the House on Tuesday.

Chelsea Girl Shop (Arrests)

29. **Mr. Nellist:** To ask the Secretary of State for Northern Ireland if he will call for a report from the Royal Ulster Constabulary Chief Constable as to the circumstances of the arrest of trade unionists at the Chelsea Girl shop in Belfast on Saturday 15 October; and if he will make a statement.

Mr. Ian Stewart: I have been informed that 15 persons were arrested on 15 October for public order offences including obstruction and disorderly behaviour. They were released without charge pending the directions of the Director of Public Prosecutions. The arrests were made after the individuals refused to disperse when required to do so by the police. I understand that those arrested were not formally connected with the industrial dispute, and that the official pickets operated in an orderly manner throughout the incident.

Hospital Services (Belfast)

30. **Mr. Ron Davies:** To ask the Secretary of State for Northern Ireland if he has considered the Eastern health and social services board's complementary study of October 1988 on the future of hospital services in Belfast; and if he will make a statement.

Mr. Needham: The results of the study have still to be considered by the board. It would not be appropriate for me to comment at this stage, but I fully support the board's objective to secure complementary working between the acute hospitals in Belfast.

Vehicle Tests

31. **Mr. Kilfedder:** To ask the Secretary of State for Northern Ireland what is the waiting times for cars to be tested at vehicle testing centres; whether he will urgently recruit more staff to cut the waiting time for a test; if he will delay the introduction of MOT test every five years until the waiting period has been brought into line with that which exists in Great Britain; and if he will make a statement.

Mr. Needham: The waiting times for private car tests at each of the vehicle inspection and driving test centres in Northern Ireland at 4 November 1988 were as follows:

	Weeks
Armagh	6½
Ballymena	3½
Belfast	12
Coleraine	2½
Cookstown	9½
Craigavon	9½
Downpatrick	8½
Enniskillen	6½
Larne	5
Lisburn	7
Londonderry	4
Mallusk	6
Newry	9½
Newtownards	9½
Omagh	4

Steps are being taken to recruit more staff, but I am unable to delay the testing of five-year-old private cars which has been a statutory requirement since November 1987.

Land Registration

Mr. McGrady: To ask the Secretary of State for Northern Ireland what were the comparative fees for land registration charges in each of the years 1980-81 to 1986-87, inclusive.

Mr. Needham: The following comparison of charges has been limited to the main registration types carried out by the Land Registry over a range of values.

Transfers, Transfers of Part, Charges

Value	*1980-81*	*1981-82*	*1982-83 to 1986-87*
£	£	£	£
Min	4	10	15
15,000	55	65	70
20,000	70	90	95
30,000	100	140	145
40,000	130	190	195
50,000	160	200	245
60,000	190	200	250
Max	200	200	250

Note: Half fee payable on Charge lodged with Transfer.

1st Registrations and Adverse Possessions Applications (Scale 1)

Value	*1980-81*	*1981-82*	*1982-83 to 1986-87*
£	£	£	£
Min	4	10	15
10,000	40	40	60
20,000	70	90	110
30,000	100	140	160
40,000	130	190	210
Max	200	200	400

Note: Compulsory first registrations—Half fees

1st Registrations by Original Lessee (Scale 2)

Value	*1980-81*	*1981-82*	*1982-83 to 1986-87*
£	£	£	£
Min	4	6	10
10,000	20	20	25
20,000	30	30	50
30,000	40	40	75
40,000	50	50	100
Max	200	200	200

Mr. McGrady: To ask the Secretary of State for Northern Ireland how long it takes to process a land registration application.

Mr. Needham: The completion times for dealings vary a great deal depending on the type of dealing, its complexity, the form in which it was submitted and its dependence on other related dealings.

The average completion times for dealings on which no queries have been raised are as follows:

	Working days
Transfers	51
Transfers of Part	119
Leases	82

If cases requiring query are included the average completion times are increased as follows:

	Working days
Transfers	55
Transfers of Part	176
Leases	275

Mr. McGrady: To ask the Secretary of State for Northern Ireland when a review of the operations of the land registry in Northern Ireland will take place; and if he will make a statement.

Mr. Needham: In 1983 a comprehensive review of the Land Registry of Northern Ireland was carried out in order to identify how better it might meet its responsibilities to provide a quick, simple and economic system of land transfer.

The majority of recommendations made by that review have been accepted and implemented.

Since that time a number of other reviews on specific sections of the registry have been or are being carried out. A number of further options for reviews are now being considered.

I shall write to the hon. Member when a decision has been reached.

Industrial Promotion and Enterprise

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to meet representatives of the Industrial Development Board to discuss industrial promotion and enterprise centres in South Down, similar to what has been carried out in Derry and Carrickfergus.

Mr. Viggers: The Industrial Development Board local area initiatives were instigated by the board on a trial basis in Carrickfergus and Londonderry in 1986. The initiatives are now being reviewed by the board and a decision on the future role of this type of scheme in the pilot areas and any other part of the Province will be taken in due course.

Economic Growth

Mr. Baldry: To ask the Secretary of State for Northern Ireland what has been the rate of growth of the Northern Ireland economy over the last two years.

Mr. Ian Stewart: Economic growth is normally measured in terms of gross domestic product. While caution is necessary in the interpretation of short-term trends, Northern Ireland's GDP is provisionally estimated to have increased by 19·7 per cent. at current prices in the period 1985 to 1987. This compares with the 20·2 per cent. increase for GDP in the United Kingdom as a whole (excluding the continental shelf).

IRA (American Funds)

Mr. Barry Field: To ask the Secretary of State for Northern Ireland what is his latest estimate of funds reaching the Irish Republican Army from the United States of America.

Mr. Tom King: The Irish Northern Aid Committee (Noraid) is believed to be the main source of United States funding of the Provisional IRA and is obliged by United States law to lodge accounts with the Federal authorities. Declared accounts for the year February 1987—January 1988 show transfers to An Cumann Cabrach of $152,000. An Cumann Cabrach purport to operate as a support fund for prisoners' dependants. I am not in a position to publish estimates of the possible overall income from the United States of America.

Rural Areas (Mains Electricity)

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many applications for the supply of mains electricity to rural areas and households in Northern Ireland have not been proceeded with over the most recent period for which figures are available.

Mr. Viggers: The information requested is not available.

Written Answers to Questions

Friday 11 November 1988

PRIME MINISTER

Poland (Visit)

Dr. Godman: To ask the Prime Minister if, in the course of her visit to Poland, she acquired any information relevant to the maintenance of the shipbuilding and marine engineering industry in Scotland.

The Prime Minister: No.

Mr. Wareing: To ask the Prime Minister on what date she met Mr. Lech Walesa; and if she will make a statement.

The Prime Minister: As was announced at the time, I met Mr. Lech Walesa on 4 November 1988.

Mr. Vaz: To ask the Prime Minister what was the cost to the public funds of her recent visit to Poland.

The Prime Minister: It is too soon after my visit to Poland to be able to give detailed information on the cost to public funds. A provisional estimate of the total cost of the visit, allowing for recoveries from journalists and others who travelled on the RAF flight, is £21,000.

Sir Peter Blaker: To ask the Prime Minister if she will make a statement on her recent visit to Poland.

The Prime Minister: I visited Poland on 2 to 4 November and had very full and useful talks with General Jaruzelski and with Prime Minister Rakowski. In Warsaw I met Cardinal Glemp and a large number of representatives of independent political groups. I also laid wreaths at the tomb of the unknown soldier and the grave of Father Popieluzsko. I unveiled a memorial to allied airmen who flew many sorties to drop supplies to the people of Warsaw during the Warsaw uprising.

I subsequently travelled to Gdansk, where General Jaruzelski and I laid a wreath at the Westerplatte monument, marking the outbreak of the second world war. While in Gdansk, I placed flowers at the shipyard workers memorial and met Mr. Lech Walesa, the President of Solidarity, together with other members of the Solidarity leadership.

I am most grateful to the Polish Government for enabling me to carry out such a full and varied programme, and to meet spokesmen for so many different political points of view.

General Jaruzelski and Mr. Rakowski informed me of the reforms being introduced in the Polish economy. They also expressed the hope that round table meetings with representatives of opposition groups would soon be possible. They wished to see closer relations between Poland and Britain, and hoped for British help in overcoming Poland's foreign indebtedness. Our talks also covered East-West relations and other international issues.

Leaders of the various independent political groups explained to me their views on the way forward. Mr. Walesa indicated that Solidarity would be ready to take part in round table discussions with the Government on the basis of good faith and fairness, and stressed the importance of legalisation of Solidarity.

I told General Jaruzelski that there was a very great interest and sympathy for Poland in this country. We shared the hope for closer contacts and were ready to support economic reform in practical ways. At the same time I stressed that economic reform could not, in our view, succeed unless accompanied by steps to give people greater political freedom. Such freedom would incur greater responsibility. I believed that the international community would be ready to provide help once such reforms were introduced and an agreement with the IMF was in place.

This was an extremely interesting and valuable visit which I hope will lead to increased contacts in future and put Britain's relations with Poland on a firmer and more positive basis.

CPSA (Meetings)

Mr. Wareing: To ask the Prime Minister on what date she last met *(a)* Mr. Norman Willis and *(b)* any officer of the CPSA; and if she will make a statement.

The Prime Minister: As was announced at the time I last met Mr. Willis when he led the delegation of pensioners to see me on 10 March 1988.

Beveridge Report

Mr. Spearing: To ask the Prime Minister if she will state those general principles contained in the report by Sir William Beveridge, "Social Insurance and Allied Services" (Cmd. 6404) which are the policy of Her Majesty's Government.

The Prime Minister: Sir William Beveridge's report contained a large number of highly detailed proposals for the shape of post-war social security. Underpinning all these proposals is Beveridge's key objective, which this Government fully share, that social security should be a partnership between the individual and the state, which neither stifles personal responsibility nor discourages voluntary action.

ENVIRONMENT

Mr. David Kinnersley

Mr. Boyes: To ask the Secretary of State for the Environment if he will provide details of the capacity in which David Kinnersley is advising his Department in connection with water privatisation, including his terms of reference, salary and length of contract.

Mr. Moynihan: Mr. Kinnersley was appointed in July this year as a member of the National Rivers Authority advisory committee, which advises Ministers on the restructuring of the ten water authorities in England and Wales prior to privatisation and the creation of the National Rivers Authority under the chairmanship of my right hon. and noble Friend, Lord Crickhowell. Between September 1987 and July this year, Mr. Kinnersley acted as a part-time special consultant on a daily fee basis to my right hon. Friend the Secretary of State on the establishment of the National Rivers Authority.

Water Treatment

Mr. Boyes: To ask the Secretary of State for the Environment if he will make available the responses from the Water Authorities Association and the 10 water authorites to his letter asking them to carry out a thorough review of their management and operating procedures at water treatment works, particularly unmanned installations, as a consequence of the incident at the Lowermoor water treatment works of the South West water authority.

Mr. Howard: I hope to make available in due course a summary of the responses, which I have asked for by the end of the year.

Water Authorities (Land)

Mr. Boyes: To ask the Secretary of State for the Environment when he expects to have information regarding the number of acres of land held by each water authority in England and Wales.

Mr. Howard: The Department expects to see basic information on water authorities' land holdings at an early stage in the process of drafting prospectuses for the companies which will succeed the authorities. That drafting process will take several months and will be completed in time for publication of prospectuses towards the end of next year.

Radioactive Cloud (North-West England)

Mr. Fearn: To ask the Secretary of State for the Environment of any emergency services were informed of the radioactive cloud that passed over the north-west of England on the night of the 28-29 October, and if he will make a statement.

Mr. Alton: To ask the Secretary of State for the Environment (1) what advice has been given to the local authorities that might be affected by the radioactive cloud that blew across the north-west on the night of 28-29 October;

(2) what steps his Department have taken to establish the source of the gaseous radioactive waste that blew across the north-west of England on the night of 28-29 October; and if he will make a statement.

Mrs. Virginia Bottomley: No releases of radioactivity to the environment have been either notified to or detected by the Department.

Council Houses (Cost)

Mrs. Hicks: To ask the Secretary of State for the Environment what is the current estimated building cost of an average three bedroomed council home.

Mr. Trippier: The current estimated building cost of an average three bedroomed council house is £25,800.

Planning Appeals

Mr. Vaz: To ask the Secretary of State for the Environment what have been the numbers of appeals against refusals by local authorities for planning permissions for *(a)* mosques, *(b)* gudwaras and *(c)* Hindu temples; and how many were successful for 1986, 1987 and up to the latest date for 1988.

Mr. Chope: According to the Department's records, the following appeals were lodged against refusals of planning permission in respect of:

(a) Mosques
1986 One appeal: allowed.
1987 None recorded.
1988 One appeal: not yet determined.

(b) Gudwaras
None recorded.

(c) Hindu Temples
1986 One appeal: dismissed.

Rate Support Grant

Mr. Harris: To ask the Secretary of State for the Environment what are his proposals for the rate support grant settlement for 1989-90.

Mr. Ridley: I am today issuing a consultation paper to the local authority associations and local authorities setting out my detailed proposals for the 1989-90 rate support grant settlement. The associations and individual local authorities have been asked for their written comments and representations on these proposals by 2 December.

Copies of the consultation paper have been placed in the Libraries of both Houses.

EDUCATION AND SCIENCE

Craft, Design and Technology

Ms. Armstrong: To ask the Secretary of State for Education and Science what studies the Government have undertaken into the numbers of girls studying craft design and technology in *(a)* secondary schools (i) within years one to three, (ii) within years four to five, (iii) in the sixth form and *(b)* tertiary or sixth-form colleges; and what were the results.

Mrs. Rumbold: Evidence from the 1986-87 school leavers survey of examination entries suggests that girls were significantly under represented among those studying craft, design and technology in years four and five of secondary school and in the sixth form. Information from the youth cohort study about what school leavers say they have studied corroborates that evidence. No other information of the kind requested about courses taken is available centrally.

International Labour Organisation

Mr. Allen: To ask the Secretary of State for Education and Science if he will take steps to restore the right of employers to negotiate with their teacher employees on pay and conditions of employment to conform with the ruling of the International Labour Organisation.

Mrs. Rumbold: My right hon. Friend and I have met with representatives from the local authority employers and the teacher unions to hear their responses to the Government's proposals for a teachers' negotiating group. These are the first in what we expect will be a series of meetings. Our aim is to establish new permanent machinery by 1990.

Seven-year-olds

Ms. Armstrong: To ask the Secretary of State for Education and Science what plans he has to provide

in-service training for primary school teachers who will be required under the Education Reform Act to implement testing of seven-year-olds.

Mrs. Rumbold: I refer the hon. Member to my right hon. Friend's reply to the hon. Member for Rugby and Kenilworth (Mr. Pawsey) on 4 November at column *783*.

Science and Technology (Funds)

Mr. Cousins: To ask the Secretary of State for Education and Science what additional provision has been made in the extra £120 million for science in 1989-90 for *(a)* CERN, *(b)* AIDS research, *(c)* the British Antarctic Survey and *(d)* the British Geological Survey; and how much of each such additional sum is for (i) capital expenditure and (ii) inflation.

Mr. Jackson: The Government have yet to take a decision on the United Kingdom's future membership of CERN. In respect of AIDS I refer the hon. Member to my right hon. Friend's reply to my hon. Friend the Member for Thurrock (Mr. Janman) on Thursday 10 November at columns *253-54*; on the British Atlantic Survey (BAS) to my right hon. Friend's reply to my hon. Friend the Member for Derbyshire West (Mr. McLoughlin) on Tuesday, 8 November at columns *134-35*; and on the British Geological Survey to my right hon. Friend's reply to my hon. Friend the Member for Rutland and Melton (Mr. Latham) on Monday 7 November at columns 2 and 3.

Only the additional amount for BAS includes a capital element, which is £8·4 million. With regard to the question of inflation I refer the hon. Member to my reply to the hon. Member for Motherwell, South (Dr. Bray) on Wednesday 9 November at columns *194-95*.

Mr. Cousins: To ask the Secretary of State for Education and Science if he will explain the make-up of the extra £120 million for science and technology in 1989-90 announced by the Chancellor of the Exchequer, distinguishing between university, research council and collaborative research programmes, showing how much of each sum represents provision for inflation.

Mr. Jackson: The £120 million increase in 1989-90 announced by my right hon. Friend includes an increase in the science budget of £95 million over the previous plans for that year, bringing the total up to £825 million—a year-on-year cash increase of 16 per cent.; spending of £12 million by the Institute of Plant Science Research following the privatisation of part of the Plant Breeding Institute; and £13 million from the additional funding provided for the universities in 1989-90. My right hon. Friend is inviting the advisory board for the research councils to advise him on the allocation of the science budget; he will announce the detailed distribution of those funds once he has received and considered the board's advice. The increase in the science budget between 1988-89 and 1989-90 is 11 per cent. in real terms.

Research Councils

Mr. Pawsey: To ask the Secretary of State for Education and Science what guidance, if any, he has given the Advisory Board for the Research Councils in seeking its advice on the allocation of the science budgets in 1989-90 and 1991-92 following his announcement on 1 November, *Official Report*, columns 605-10; and if he will make a statement.

Mr. Kenneth Baker: I have written today to Sir David Phillips inviting the board's advice. The following is the text of my letter:

The Science Budget 1989-90—1991-92

1. When I met the Board in February I said that I hoped that it would be possible to give greater priority to science in this year's Public Expenditure Survey. The Government's decisions, which I announced on 1 November, have done this, and provide resources in large measure commensurate with the advice that the Board gave me in May. These decisions reaffirm the Government's commitment to maintain and enhance the strength and quality of the science base. I now seek the Board's advice on the allocation of this substantially enhanced provision for the Science Budget.

2. For 1989-90 the Science Budget will be £825 million. this is 16·5 per cent. higher than the figure for the current year; and 13·1 per cent. higher than the planning figure set in last year's Public Expenditure Survey. It represents a real increase of 11 per cent. between 1988-89 and 1989-90. The planning figure for 1990-91 has also been increased substantially and now stands at £837 million. The planning figure for 1991-92 is £855 million. These two planning figures will be subject to review in the annual Survey in the normal way.

3. The settlement will increase Science Budget expenditure in relation to GDP from 0·150 per cent. in 1988-89 to 0·162 per cent. in 1989-90. By 1989-90 the Budget will have increased over the decade by more than 26 per cent. in real terms.

4. The Government's decisions take account of the detailed and persuasive advice submitted by the Board in May and of our policy progressively to redeploy public funds from the support of near-market research—which is properly the responsibility of industry—towards the support of basic and longer term strategic research.

5. The Board's advice covered a wide range of activities. Whilst we have not been able to meet your recommendations in full, the additions I have announced should make possible significant progress in each of the main areas identified by the Board—the reshaping of the science base, and new scientific opportunities. They also have regard to certain programmes to which particular factors apply. These have individually attracted Parliamentary interest and I have informed the House this week of the present position and the implications of this latest settlement. Copies of my statements are enclosed.

6. The Government attaches great importance to each of the two main areas advocated by the Board for high strategic priority; and looks forward to receiving the Board's advice on the detailed distribution of funds for these purposes. In particular I welcome the important start that has been made in establishing Interdisciplinary Research Centres and I hope that similar progress might be possible in 1989-90. For the later years I would invite the Board to take stock and give me further advice next year.

7. I would see it as important, in parallel with this, to sustain and develop the world-class science done in the Research Councils' own establishments, building up their links with higher education institutions. This will call for further reshaping of Councils' own facilities, and I shall look to the Board next year for further advice on the progress being made.

8. Under your other main head—new scientific opportunities—I have, as you will know, already allocated an extra £14 million this year for selective re-equipment, through the Research Councils, the UGC and the Royal Society. The Board will wish to consider what further provision would be right, having regard to the burgeoning scientific opportunities which you have identified as well as to the nation's vitally important need for an adequate supply of highly qualified scientific manpower. My hope and intention is that the scientific community should keep alive that excitement and excellence, particularly in basic science, for which the UK is rightly renowned and which must continue to beckon our able young people if the UK is to benefit as it should from the resources the nation devotes to science.

9. Finally, the detailed figures take account of a number of minor considerations, some of them technical. These include: VAT on construction costs; expenditure on EC research programmes; and possible costs for AFRC arising from reductions in the funding of near-market agricultural research. There is also provision (not included in the figures above) to cover capital expenditure arising as a direct consequence of the sale of PBI assets last year. My assessors will be ready to explain these items to the Board.

10. In view of Parliament's continuing interest in the Science Budget and in the work of the Board I am publishing the text of this letter in a Parliamentary Answer.

DEFENCE

Soldiers' Dress (Northern Ireland)

Mr. Riddick: To ask the Secretary of State for Defence what steps are being taken to improve the dress of soldiers serving in Northern Ireland.

Mr. Freeman: The dress issued to soldiers is kept constantly under review both in terms of quality and suitability. The hon. Member for Colne Valley has recently written to me on this subject and I shall reply shortly.

Territorial Army Recruitment

Mr. Tony Banks: To ask the Secretary of State for Defence if he will make a statement on the costs of the current territorial publicity recruiting campaign.

Mr. Freeman: The campaign to which the hon. Member refers is not aimed at recruiting but is intended to draw the attention of the public to the status of and the important role played by the volunteer forces in the defence of the country and, in particular, to seek the support of employers. As far as costs are concerned, I draw the attention of the hon. Member to the answer that I gave the hon. Member for Nottingham, North (Mr. Allen) on 31 October 1988 at column *531*.

Private Security Firms

Mr. George: To ask the Secretary of State for Defence how many private security firms guard his Department's premises; how many guards are involved; and what is the total value of the contracts.

Mr. Sainsbury: The number of security firms currently employed to guard Ministry of Defence premises is 13. The exact number of guards employed under these contracts is variable, but approximately totals 200. The total value of these contracts for the twelve months to 30 September 1988 is of the order of £1·62 million.

NATO (Franco-German Brigade)

Mr. Cash: To ask the Secretary of State for Defence what is the status of the joint Franco-German brigade within the command structure of the North Atlantic Treaty Organisation.

Mr. Archie Hamilton: The status of individual military formations and their relationship with NATO are matters for the countries concerned.

RAF Greatworth

Mr. Boswell: To ask the Secretary of State for Defence if he will make a statement on the future of RAF Greatworth.

Mr. Freeman: The Ministry of Defence has been considering the future of RAF Greatworth, for which the RAF no longer have a requirement and we are now able to announce that we will make available to the United States Air Force an enclave containing the station's buildings to provide support for the US Air Force main operating base at RAF Upper Heyford. The buildings will be used for personnel accommodation and the storage of non-warlike items such as furniture. That land not required by the United States Air Force will be sold. Historically the signals facilities at RAF Greatworth have played an important role in support of the Royal Air Force and I am pleased that the station will be able to continue to contribute to the defence of this country in this way. I shall be arranging for an appropriate ceremony to take place in due course to mark the handover of the station and to commemorate the station's historical contribution. Representatives of the local community will be invited, including the hon. Member for Daventry.

Tanks

Mr. Speed: To ask the Secretary of State for Defence what importance his Department attaches to the infra-red signature from the British, American and German tanks being considered for the British Army; and if he will make a statement.

Mr. Sainsbury: All relevant technical factors are being taken into account by my right hon. Friend in considering these matters.

Scientists and Computer Experts (Deaths)

Mr. Hoyle: To ask the Secretary of State for Defence whether any United States Government Department has made inquiries about the recent deaths of British defence scientists and computer experts.

Mr. Sainsbury: The MOD has not received any such inquiries.

Mr. Hoyle: To ask the Secretary of State for Defence if he will hold an inquiry into the recent deaths of defence scientists and computer experts; and if he will publish the findings.

Mr. Sainsbury: No.

Professor Keith Bowden

Mr. Hoyle: To ask the Secretary of State for Defence what work Professor Keith Bowden carried out for or on behalf of his Department.

Mr. Sainsbury: It is not our policy to disclose details of the work of persons employed by the Ministry of Defence.

AWE Aldermaston

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence if he will state the reasons why AWE Aldermaston was put on alert and warning sirens sounded on 8 November during the morning; whether the warning related to a leak of radioactivity; and whether he will make a statement.

Mr. Archie Hamilton: I can confirm that an automatic alarm system triggered falsely at the Atomic Weapons

Establishment at Aldermaston on Tuesday 8 November. The work force's entry to the area was delayed until it was clear that it was safe. This was the same alarm that triggered falsely on Friday 28 October. On neither occasion was there any leak of radiation.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. John Evans: To ask the Minister of Agriculture, Fisheries and Food how much he has paid out in compensation to farmers who have had animals infected with bovine spongiform encephalopathy; and if he will make a statement.

Mr. Donald Thompson: Up to the end of October 1988, £283,807·50p had been paid in compensation.

Bovine Somatotropin

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food further to his answer on representations received about commercial licensing of bovine somatotropin (BST), *Official Report*, 19 October, column *874*, if he will list in the *Official Report* the names of those who have written in support of the proposal.

Mr. Donald Thompson: No. I see no purpose in divulging such information.

NORTHERN IRELAND

Social Fund

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many appeals to the social fund inspectorate were received between 11 April and 11 September at Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge.

Mr. Needham: During this period the number of review applications to the social fund inspectorate was:

Social security office	*Number received*
Downpatrick	3
Ballynahinch	Nil
Newcastle	Nil
Kilkeel	Nil
Newry	2
Banbridge	Nil

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many social fund officers are employed at each of the social security offices in Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge.

Mr. Needham: The information at 4 November 1988 was:

Social security office	*Number of social fund officers employed*
Downpatrick	5
Ballynahinch	2
Newcastle	3
Kilkeel	2
Newry	8
Banbridge	5

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people made application to the social fund; and how many applications were approved and how many were rejected between 11 April and 30 September at the social security offices at Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge.

Mr. Needham: The information requested is available in the Library.

Family Income Supplement

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people were in receipt of family income supplement between 11 April 1987 and 30 September 1987 at the social security offices in: Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge; and what was the total payment made during that period.

Mr. Needham: Family income supplement was administered centrally and information is not available in the precise form requested. However, it is estimated that the number of families getting family income supplement on 27 October 1987 in each social security office area was:

	Number
Downpatrick	373
Ballynahinch	136
Newcastle	240
Kilkeel	153
Newry	983
Banbridge	320

The total amount of family income supplement paid in Northern Ireland in the 1987-88 financial year was £14 million. It is not possible to give a breakdown by individual office area or for the period requested.

Housing Benefit

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many Housing Executive tenants are in receipt of housing benefit at the executive offices at Downpatrick, Kilkeel, Newry district 1, Newry district 2, and Banbridge, since 11 April.

Mr. Needham: I am advised by the chairman of the Housing Executive that the figures at 28 October 1988 were as follows:

NIHE District Office	*28 October 1988*
Downpatrick	2,755
Kilkeel	797
Newry District 1	2,454
Newry District 2	2,385
Banbridge	1,807

Income Support

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many individuals are in receipt of

income support since 11 April in the social security offices at Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge.

Mr. Needham: The information at 31 August 1988 was as follows:

Social Security Office	*Number of Income Support Recipients*
Downpatrick	2,249
Ballynahinch	1,467
Newcastle	1,887
Kilkeel	1,382
Newry	9,343
Banbridge	3,353

Limavady Area Plan

Mr. William Ross: To ask the Secretary of State for Northern Ireland when he now expects the publication of the Limavady area plan; and if he will indicate the reasons for delay.

Mr. Needham: The Limavady area plan will be adopted before the end of November. Consideration within Government of the Planning Appeals Commission's report on the public inquiry took longer than expected.

Health Care Services (Exports)

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland (1) if he will make a statement on *(a)* his plans to export Northern Ireland health care and related services abroad and *(b)* the likely effect of these plans on health care services in the Province:

(2) if he will make a statement on the implications for hospital services in Belfast of the proposal to export Northern Ireland health and related services abroad;

(3) if he will make a statement on the likely effects on nurses training within Northern Ireland of the plans to market health care services abroad.

Mr. Needham *[holding answer 9 November 1988]:* Last year's feasibility study by United Medical Enterprises suggested that considerable potential exists in Northern Ireland for the export of health care services. A more detailed follow-up study is now being carried out aimed at matching available resources and expertise to identified markets outside the Province. Since this study will not be completed until February, the information requested is not yet available.

Our objectives are clear however and include the creation of jobs, and the provision of increased experience for those working in the Health Service thus broadening their horizons and enhancing their existing skills. The generation of additional income will benefit services in Northern Ireland.

WALES

Advance Factories

Mr. Wigley: To ask the Secretary of State for Wales, how many advance factories there are currently under construction in the Arfon area; what is the square footage of factory space represented by this programme; when they are due to be completed; and what steps he has taken to ensure that current programmes for advance factory building in the Arfon area are likely to be adequate to meet demand from industrialists.

Mr. Peter Walker: The Welsh Development Agency's factory programme in Arfon is at present concentrated on the Parc Menai business complex being developed jointly with the borough council.

It is planned to construct up to 250,000 sq ft of high quality floorspace with the potential to accommodate over 700 jobs. The first two phases of the development for the provision of on-site services are due to be complete by May 1989.

The demand for industrial floorspace in Arfon is reviewed regularly by the agency and taken into account when deciding its property development programme.

Seaside Developments

Mr. Fearn: To ask the Secretary of State for Wales what selective investments in developments at seaside resorts in Wales have been made from Government tourism finance; and how much.

Mr. Wyn Roberts: Since 1 April 1987 the Wales Tourist Board have offered £1,298,631 of grant assistance to 95 projects in coastal authorities, stimulating £11,428,041 of expenditure and creating 208 jobs. Projects receiving offers of assistance over £10,000 are listed in the Wales Tourist Board's annual review.

Home Help Service

Ms. Harman: To ask the Secretary of State for Wales if he will list for each local authority in Wales the estimated total number of hours received by clients of the home help service for the years 1986-87 and 1987-88.

Mr. Grist: This information is not available centrally. However the following table shows the number of home helps employed by local authorities in Wales in 1986 and 1987:

	1986		*as at 30 September 1987*	
	Number	*Whole time equivalent*	*Number*	*Whole time equivalent*
Clwyd	674	395	777	460
Dyfed	824	349	863	392
Gwent	1,367	648	1,466	672
Gwynedd	696	278	702	294
Mid Glamorgan	2,049	942	2,198	1,004
Powys	374	124	374	122
South Glamorgan	943	400	942	412
West Glamorgan	945	543	849	543

Note: Figures exclude home help organisers and assistant and trainee home help organisers.

Meals on Wheels

Ms. Harman: To ask the Secretary of State for Wales if he will list, for each local authority in Wales, the estimated total of meals on wheels received by clients in the latest year for which figures are available.

Mr. Grist: The number of meals provided by local authorities and other organisations and delivered to recipients' homes during the year ending 31 March 1988 are in the following table.

	Number
Clwyd	202,509
Dyfed	176,940
Gwent	273,022
Gwynedd	109,918
Mid Glamorgan	810,745
Powys	46,928
South Glamorgan	296,206
West Glamorgan	197,050

Elderly Persons

Ms. Harman: To ask the Secretary of State for Wales if he will list, for each local authority in Wales, the number of people estimated as being *(a)* 65 plus and *(b)* 75 plus years.

Mr. Grist: The latest estimates are shown in the following table:

Population Mid-1987 (thousands)

Local Authority	*Aged 65 and over*	*Aged 75 and over*
Alyn and Deeside	9·8	3·9
Colwyn	12·0	5·8
Delyn	9·6	4·0
Glyndwr	7·7	3·3
Rhuddlan	12·2	5·8
Wrexham Maelor	17·6	7·4
Clwyd	69·0	30·2
Carmarthen	10·0	4·0
Ceredigion	12·0	5·2
Dinefwr	7·1	2·9
Llanelli	14·3	5·9
Preseli Pembrokeshire	11·0	4·4
South Pembroke	6·5	2·7
Dyfed	60·9	25·1
Blaenau Gwent	13·3	5·6
Islwyn	10·4	4·3
Monmouth	12·0	5·0
Newport	18·9	7·6
Torfaen	13·1	5·1
Gwent	67·8	27·6
Aberconwy	12·0	5·7
Arfon	8·9	4·0
Dwyfor	5·8	2·5
Meirionnydd	6·4	2·9
Ynys Mon	11·3	4·9
Gwynedd	44·4	20·0
Cynon Valley	11·0	4·5
Merthyr Tydfil	9·5	3·9
Ogwr	20·3	8·1
Rhondda	14·0	5·8
Rhymney Valley	13·4	5·1
Taff-Ely	11·8	4·5
Mid Glamorgan	80·1	31·8
Brecknock	7·5	3·1
Montgomeryshire	8·7	3·7
Radnor	4·1	1·7
Powys	20·4	8·6
Cardiff	44·1	18·9
Vale of Glamorgan	16·8	7·0
South Glamorgan	60·9	25·9
Port Talbot	8·5	3·3
Lliw Valley	10·7	4·4
Neath	11·4	4·8
Swansea	31·1	13·0
West Glamorgan	61·7	25·5
Total for Wales	465·1	194·7

Source: Office of Population Censuses and Surveys

Hospital Waiting List (Gwent)

Mr. Roy Hughes: To ask the Secretary of State for Wales (1) how many people are waiting for in-patient treatment in Gwent;

(2) how many people are waiting for urgent in-patient treatment in Gwent.

Mr. Grist: The number of people waiting for in-patient treatment in Gwent hospitals at 31 March 1988 was 8,836 of which 963 are waiting for urgent in-patient treatment. Information on waiting lists for individual specialties was published on 27 October in "Welsh Hospital Waiting List Bulletin 1988 No. 2" a copy of which is in the Library.

Mr. Roy Hughes: To ask the Secretary of State for Wales what proposals he has to reduce the hospital waiting list in Gwent.

Mr. Grist: Responsibility for the management of waiting lists in Wales rests with district health authorities, within their allocated financial resources. The recurrent revenue provision for Gwent health authority for 1988-89 is some £115 million which represents a growth of 26 per cent. over 1978-79, after taking account of inflation.

As part of the Department's efforts to reduce waiting times, £1 million of additional monies were made available to health authorities in 1988-89 in order to tackle specific problem lists. Gwent health authority was allocated £225,000 of these monies to fund a scheme in trauma and orthopaedics in south Gwent. In addition to the Welsh Office's annual review of all health authorities' performance, including their efforts to tackle waiting lists, officials have recently completed a round of meetings with all health authorities—including Gwent—to discuss their plans for reducing waiting times.

Mr. Roy Hughes: To ask the Secretary of State for Wales (1) how long cases for non-urgent in-patient treatment have to wait in Gwent;

(2) how long cases for urgent in-patient treatment have to wait in Gwent.

Mr. Grist: Median waiting time for patients admitted from waiting lists during the calendar year 1987 was 49 days. It is not possible to distinguish between urgent and non-urgent cases.

Detailed information on waiting lists and median waiting times for individual hospitals was published on 27 October in "Welsh Hospital Waiting List Bulletin 1988 No. 2" a copy of which is in the Library.

TRADE AND INDUSTRY

Iraq

Mr. Alton: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the provision of credit for Iraq.

Mr. Alan Clark: Since 1983 United Kingdom credits to Iraq supported by ECGD have been provided under successive Government-to-Government protocols negotiated annually.

The Chancellor of the Duchy of Lancaster recently attended the United Kingdom-Iraq joint commission meeting in Baghdad where he signed, on 7 November, a new protocol setting out the arrangements for ECGD-supported credits for contracts to be placed in 1989. These will total £340 million, of which up to £75 million will be used for Iraqi imports of pharmaceuticals, medical appliances, baby food etc., whilst the balance will be used to finance capital projects and imports of machinery and services for the Iraqi development programme.

Outside these arrangements ECGD cover for short term credits on 180-360 day terms continues to be available.

The provision of ECGD support for United Kingdom exports is based on a commercial assessment of the risks involved and is a normal part of our trading relationship with a credit-worthy country.

Upholstery Fabrics

Sir George Young: To ask the Chancellor of the Duchy of Lancaster what representations he has had from the furnishing fabric trade on his proposals to remove on 1 March 1989 the cigarette test exemption for upholstery fabrics.

Mr. Forth: The exemption from the cigarette test in the 1980 regulations was limited to fabrics supplied separately from furniture; this included the "customer's own cover" trade. It has long been regarded as an undesirable loophole. It was therefore decided to include furniture supplied in this way in the scope of the 1988 regulations, which of course include requirements more stringent than the cigarette test. Some representatives of the fabric trade suggested that the exemption could stay, but since they also stated that "customer's own cover" accounts for a growing share of the furniture trade I was unable to consider the suggestion sympathetically.

Sir George Young: To ask the Chancellor of the Duchy of Lancaster why he has brought forward from March 1990 to March 1989 the date for removing the cigarette test exemption for upholstered fabrics.

Mr. Forth: The cigarette ignition test in the 1980 regulations is applied to complete items of furniture rather than to fabrics over a standard filling. The great majority of new upholstered furniture sold in this country since 1982 meets the requirement and much information is therefore available about the combinations of cover and filling which pass and fail. It has been generally known in the furniture business for well over a year that new regulations would import the cigarette resistance requirement from the 1980 regulations.

The draft regulations issued for comment in March 1988 applied to all upholstered furniture. The industry needed time to adapt to the new and more stringent requirement for match resistance of covering fabrics, so the March 1990 date has been set for it. But in the interests of safety, the sooner we could reasonably extend the well-known cigarette test to all upholstered furniture, the better; March 1989 was therefore chosen.

Sir George Young: To ask the Chancellor of the Duchy of Lancaster whether he has consulted with trading standards officers, the fire service and representatives of the industry about his proposals to remove the cigarette test exemption for upholstery fabrics by 1 March 1989.

Mr. Forth: Yes.

Balance of Payments

Mr. Cousins: To ask the Chancellor of the Duchy of Lancaster whether he will estimate the balance of payments effects of cross-border acquisitions, mergers and disposals for each year since 1980.

Mr. Alan Clark: The available information relates to the acquisition and disposal of share and loan capital by United Kingdom companies in their foreign subsidiary and associate companies and by foreign companies in their United Kingdom subsidiary and associate companies. The information differs from that published in the article on cross-border acquisitions and mergers in *British Business*, 28 October, pages 26 to 28 because it includes the acquisition and disposal of associate holdings as well as changes to existing holdings, where a controlling interest already exists. It also excludes transactions in share and loan capital which are indirect, that is, when a United Kingdom company acquires a foreign company through an existing foreign affiliate or when a foreign company acquires a United Kingdom company through an existing United Kingdom affiliate. The information on cross-border acquisitions is available only from 1986 onwards.

There are a number of indirect effects on the balance of payments of these acquisitions and disposals which cannot be quantified separately. They are as follows:

a. The flow of capital into and out of the United Kingdom to raise funds for, or to use the proceeds from, cross-border acquisitions and merger activity.

b. The effects on interest, profits and dividends, credits and debits in the current account of the balance of payments.

c. The effect on visible trade.

The data is as follows.

£ million

	Acquisitions and disposals by United Kingdom companies of foreign companies' share and loan capital			Acquisitions and disposals by foreign companies of United Kingdom companies' share and loan capital			Net direct effect
	Gross acquisitions (1)	Gross disposals (2)	Net acquisitions (3)	Gross acquisitions (4)	Gross disposals (5)	Net acquisitions (6)	(3)-(6)
1980	−2,056	264	−1,793	906	−109	797	−996
1981	−2,719	316	−2,403	1,137	−262	875	−1,528
1982	−1,855	940	−915	689	−440	249	−666
1983	−2,484	564	−1,920	690	−134	556	−1,364
1984	−3,771	1,146	−2,625	1,191	−910	281	−2,344
1985	−4,980	1,885	−3,096	1,162	−488	674	−2,422
1986	−8,078	1,402	−6,676	2,633	−1,240	1,393	−5,283
1987	n.a.	n.a.	−4,518	n.a.	n.a.	2,073	−2,445
1988 Q1	n.a.	n.a.	−1,965	n.a.	n.a.	176	−1,789
Q2	n.a.	n.a.	−1,123	n.a.	n.a.	740	−383

Source: Overseas Transactions Inquiry.
Bop signs (−capital outflow; + capital inflow).
Figures prior to 1984 exclude oil companies.

FOREIGN AND COMMONWEALTH AFFAIRS

Entry Visas

Mr. Boswell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the various types of British entry visas which are available for foreign nationals and their duration and cost, respectively.

Mr. Waldegrave: Listed below are the various types of entry clearance available to Foreign and Commonwealth nationals and their costs:

	£
Visitor, single entry	20
Visitor, double entry	30
Visitor, multiple entry	44
Settlement and other long-term entry clearance	60

Single and double-entry clearances are normally valid for presentation within six months of the date of issue, multiple entry within two years.

Mr. Boswell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry visas of each type were issued in 1987; what was the total revenue, respectively; and what contribution this made to costs of issue.

Mr. Waldegrave: A breakdown by type of entry clearances issued overseas is not available for 1987 and 1988 but will be from 1989 onwards. In total 974,312 entry clearances were issued in 1987, including those issued on behalf of the dependent territories and some independent Commonwealth countries.

All the information on reveune and costs is not yet available but we will write to the hon. Member when it is.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average length of time currently taken to prepare explanatory statements following refusal of entry clearance in *(a)* Bombay, *(b)* New Dehli, *(c)* Karachi, *(d)* Islamabhad, *(e)* Dar-Es-Salam and *(f)* Nairobi.

Mr. Waldegrave: The information sought has been requested from the posts concerned and the hon. Member will receive a letter as soon as possible.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current length of queues for visitors visas in terms of *(a)* numbers of people and *(b)* estimated length of time required to process these applications for each of the years 1980 to 1987 inclusive, and for each month of 1988.

Mr. Waldegrave: There are normally no queues for visit-visa applicants applying in their own country, and the large majority are processed speedily. Where a more detailed interview is necessary it can be arranged on the same day at some posts and within three days at most others; though at some posts this period could extend at times of peak demand during the busy summer months.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the number of staff employed in the visa section of posts in *(a)* Bombay, *(b)* New Delhi, *(c)* Karachi, *(d)* Islamabad and *(e)* Calcutta, for each year from 1980 to 1987, inclusive and for each month of 1988.

Mr. Waldegrave: Details of the number of established posts in the visa section of our posts at Bombay, New Delhi, Karachi, Islamabad and Calcutta for each year from 1982 to 1987 inclusive are given in the following table. Similar information for previous years is held in a different, non-computerised, format, and could only be supplied at disproportionate cost.

	1982	1983	1984	1985	1986	1987
United Kingdom-based Staff[1]						
(a) Bombay	6	6	7	6	12	13·25
(b) New Delhi	5	6	6	7	13	17
(c) Karachi	3	3	3	1·45	10·45	9·45
(d) Islamabad	25	25	25	27·15	31·15	35·15
(e) Calcutta	1	1	1	1	2·90	1·90
Locally Engaged Staff[1]						

	1982	1983	1984	1985	1986	1987
(a) Bombay	13	13	14	14	22	25
(b) New Delhi	12	12	11	11	22	33
(c) Karachi	3·75	3·75	3·75	3·25	15	15
(d) Islamabad	24	22	22	22	38	43
(e) Calcutta	2·10	2·10	2·10	2·10	4·25	4·25

Note

[1] The figures above are based on the staff establishment at the end of each year and do not therefore include United Kingdom-based or locally engaged seasonal reinforcement. Details of such reinforcement could only be supplied at disproportionate cost.

For 1988, details of the number of established posts in the visa section of the posts are given in the table with United Kingdom-based seasonal reinforcement shown in brackets. Details of locally engaged seasonal reinforcement are not readily available and could be supplied only at disproportionate cost.

1988	United Kingdom-based	Locally engaged
(a) Bombay	[1]13·25 (+1)	25·0
(b) New Delhi	[1]17 (+1)	35·0
(c) Karachi	9·45	17·0
(d) Islamabad	33·15	62·0
(e) Calcutta	[2]1·90 (+1)	2·5

Notes

[1] For period April-September 1988.

[2] For period April-October 1988.

In both tables, figures shown on a decimal basis indicate the deployment of staff (also working elsewhere in the post) on a part-time basis in the visa section.

India

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit India; and if he will make a statement on current Indo-British relations.

Mr. Waldegrave: My right hon. and learned Friend has visited India on a number of occasions and hopes to do so again, but he has no specific plans for a visit at present. Relations between India and Britain are close, reflecting the substantial and varied links between our two countries. During the past few years there have been some ups and downs in the relationship but latterly a better understanding has been established and our relations are currently good. We are looking for ways to make our co-operation still closer.

Foreign Visitors

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the number of foreign visitors designated as VIP's by his Department in the last 12 months.

Mr. Waldegrave: Between 1 September 1987 and 31 August 1988, which is the most recent period for which figures are available, there were 11,700 VIP movements attributable to the Foreign and Commonwealth Office.

Chile

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when the British ambassador in Santiago last met the representatives of the Chilean democratic opposition Messrs. Aylwin, Lagos and Silva-Cimma.

Mr. Waldegrave: The British ambassador in Santiago is in regular touch with leading members of the Chilean democratic opposition. He also ensures that hon. Members of this House who visit Chile are given every opportunity to meet opposition leaders, many of whom have visited the United Kingdom in the last few years as guests of Her Majesty's Government. Sr. Ricardo Lagos, leader of the Partido Por la Demoracia (PPD), will visit the United Kingdom later this month at the invitation of Her Majesty's Government.

HOME DEPARTMENT

Betting Levy

Mrs. Golding: To ask the Secretary of State for the Home Department whether he has heard from the Horserace Betting Levy Board of the failure of the talks between it and the Bookmakers Committee to reach agreement on the terms of the 28 levy scheme; when he intends to make an adjudication; what principles he will follow in arriving at that adjudication; and whether he will make a statement.

Mr. Sayeed: To ask the Secretary of State for the Home Department when he expects to reach a decision on the terms of the 28 levy scheme, in the light of the failure of the Horserace Betting Levy Board and the Bookmakers Committee to reach an agreement; and what is the policy of Her Majesty's Government on the share of betting turnover which bookmakers should contribute to horse racing in order to foster the industry.

Mr. John Patten: The chairman of the Horse race Betting Levy Board informed my right hon. Friend the Home Secretary in a letter of 1 November that the board and the bookmakers' committee had failed to agree the terms on the 28th levy scheme. Under section 1 of the Horserace Betting Levy Act 1969, it therefore falls to my right hon. Friend to determine a new scheme for 1989-90 or to direct that the current scheme shall continue to have effect for that period also, subject to such modifications (if any) as he may specify. Total levy liability is customarily expressed as a proportion of betting turnover. In deciding what that proportion should be in the forthcoming scheme, my right hon. Friend will have regard both to the needs of horseracing and the ability of the bookmakers to pay, a principle which has guided all such previous decisions.

Mr. Sayeed: To ask the Secretary of State for the Home Department if he will list for each of the major horse racing countries the proportion of betting turnover that is levied in order to support the horseracing industry.

Mr. John Patten: I understand from the Horserace Betting Levy Board that under the horserace betting levy scheme levy receipts amount to some 0·88 per cent. of bookmakers' leviable turnover. We are establishing

whether there is available directly comparable information about the arrangements in other countries. I shall write to the hon. Member.

M62 (Hazardous Loads)

Mr. Sheerman: To ask the Secretary of State for the Home Department what special arrangements are made with the local police when transporters carrying nuclear fuel-related loads cross the M62.

Mr. Douglas Hogg: The police would not normally be involved in the routine transportation by road of nuclear fuel-related loads. Special arrangements would be made if an escort were required for an abnormally large or slow moving load. I understand that no such escorts have been required in the West Yorkshire police area.

Shipping Forecasts (Long Wave)

Mr. Barry Field: To ask the Secretary of State for the Home Department if he envisages that the British Broadcasting Corporation will continue to be responsible for broadcasting the shipping forecasts on the long wave.

Mr. Renton: It is for the BBC to decide how best to use the resources (including the radio frequency resources) available to it to carry out its obligations under its Royal charter. Under the Government's proposals for broadcasting legislation the BBC will continue to have allocated to it the national long wave network now used to carry Radio 4. This will therefore continue to be available for shipping forecasts, and I understand that the BBC has no plans to change the present arrangements for broadcasting them.

Prisoners (Statistics)

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department what number and proportion of prisoners were *(a)* employed and *(b)* engaged in full-time education on the latest date for which figures are available.

Mr. Douglas Hogg: The most recent figures available are for 1987 and are based on the average number of prisoners employed per weekday in male establishments. They are:

(a) 25,330, which is just over half of the male population and

(b) 6,490, which is approximately one seventh of the male population, and include those on training courses.

These figures should be regarded as approximate. There are no available figures for female establishments.

Data Protection Act (Review)

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will list, in a form that cannot jeopardise the advice he may receive from the committee reviewing the Data Protection Act, the number of organisations that have given evidence to the committee, stating whether these organisations represent industry, professional bodies, international institutions, civil libertarian or consumer groups.

Mr. Renton: No organisations have been invited to give evidence to the interdepartmental committee reviewing the Data Protection Act. The committee is awaiting the result of the independent consultation exercise undertaken by the data protection registrar before deciding whether there is need to call for further evidence.

Women Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of category A women prisoners held in prisons in the United Kingdom on 31 October.

Mr. Douglas Hogg: There were 4 category A women prisoners held in prisons in England and Wales on 31 October. The position in Scotland and Northern Ireland is respectively the responsibility of my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for Northern Ireland.

Prison Populations

Mr. Cox: To ask the Secretary of State for the Home Department what was the certified prison accommodation and the actual prison population at Wandsworth, Wormwood Scrubs, Brixton and Pentonville, on 31 October.

Mr. Douglas Hogg: The information requested is as follows:

	Certified Normal Accommodation	*Population*
Wandsworth	1,266	1,406
Wormwood Scrubs	[1]1,024	1,030
Brixton	727	1,125
Pentonville	624	812

[1] Less 196 places undergoing refurbishment.

Prisoners (AIDS)

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of prisoners being held in prisons in England and Wales who were infected with the HIV virus on 31 October.

Mr. Douglas Hogg: On 31 October 1988 the prison population of England and Wales included 49 inmates reported as having been identified as HIV antibody positive. Two hundred and three such cases had been reported since central monitoring began in March 1985.

Radioactivity (North-West England)

Mr. Alton: To ask the Secretary of State for the Home Department if the civil defence and emergency planning authorities were informed of possible radioactive precipitation in the north-west of England on the night of 28-29 October; and if he will make a statement.

Mr. Douglas Hogg: I understand that radiation readings in the north-west from the national radiation monitoring network (RIMNET) and other sources showed only normal levels of radioactivity; no authorities were therefore alerted.

Pub Bombings (Guildford and Woolwich)

Mr. Mullin: To ask the Secretary of State for the Home Department on what dates the most recent representations regarding the Guildford and Woolwich cases were submitted to him.

Mr. John Patten: On 24 October.

Deaf Prisoners

Mr. Meale: To ask the Secretary of State for the Home Department (1) what arrangements there are for the treatment of deaf people serving prison sentences;

(2) what statistics are available of the numbers of prisoners suffering deafness;

(3) what facilities are provided for prisoners who suffer deafness;

(4) what training is given to prison staff for communicative assistance with deaf prisoners.

Mr. Douglas Hogg: The most recent survey identified 45 completely or profoundly deaf people in the prison population of England and Wales on 31 January 1987, and indicated that 62 had come to the notice of prison medical officers during the 12 months up to that date. The treatment regime for such prisoners is a matter for the medical officer to determine in the light of the circumstances or the individual case and the facilities available at the establishment and in the local community.

The medical officer is able to call upon the specialist services of the NHS and other local statutory and non-statutory services. Staff training in communication skills is not routinely given because of the small number and wide scatter of prisoners with severe hearing problems.

Immigration (District Office, Liverpool)

Mr. Vaz: To ask the Secretary of State for the Home Department what was the date on which the new district nationality office in Liverpool was officially opened to transact and process applications.

Mr. Renton: The Liverpool nationality office opened on 22 August 1988.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the number of persons employed in the new Liverpool district office.

Mr. Renton: On 7 November 1988, 123.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the number of persons employed originally at Lunar house, Croydon, who have been transferred to the Liverpool district office.

Mr. Renton: Seven.

Minister of State (Private Office)

Mr. Vaz: To ask the Secretary of State for the Home Department what was the number of persons employed in the Private Office of the Minister of State, dealing with immigration matters in 1986, 1987 and currently.

Mr. Renton: The people working in my private office deal with all the subjects within my responsibility, including immigration matters. From 1 January 1986 the total number of people employed in my office was 8. Ten were employed from 1 April 1986, 9 from 1 January 1987, 7 from 1 January 1988, and 8 from 1 November 1988.

Group 4 (Holding Centre Contract)

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department (1) what experience the company Group 4 had demonstrated in running a secure holding centre or prisons prior to being offered the contract for Harmondsworth holding centre;

(2) what procedure is followed to vet the staff of private security firms who work at Harmondsworth holding centre; and how these *(a)* were applied to Securicor employees and *(b)* will be applied to Group 4 employees;

(3) what measures will be taken to ensure that a smooth changeover of management will be secured at Harmondsworth holding centre when Securicor hand over the running to Group 4;

(4) what were his reasons for deciding *(a)* to terminate the contract between the Home Office and Securicor for the management and staffing of Harmondsworth holding centre and *(b)* to award the contract to Group 4;

(5) how many of those held at Harmondsworth holding centre have escaped in the time that it has been under the management of Securicor.

Mr. Renton: The contract for the provision of Group 4 staff at the Harmondsworth, Heathrow, Gatwick and Manchester immigration detention units was awarded to the company following receipt of competitive tenders. The decision took account of a number of factors, including value for money and a detailed evaluation of the company's ability to provide the high quality of service specified.

The nature of the contract is unique in the United Kingdom and only Securicor Ltd. has so far had direct experience in this area. But Group 4 is a company of high standing. The tendering exercise enabled it to demonstrate satisfactorily its ability to provide a reliable service. Both Securicor Ltd. and Group 4 Total Security Ltd are members of the British Security Industry Association which lays down rigorous recruitment and vetting standards. Both companies fully meet those standards, including the vetting of candidates over a period extending back 20 years.

A series of meetings has been arranged between immigration service officials and senior managers within both Securicor and Group 4 to ensure a smooth transition. These discussions and detailed arrangements are progressing well. Responsibility for managing the detention units will not alter as a result of the change in contractor; that will remain firmly with the Home Office.

In 1987, 78 persons absconded from immigration service detention units; in 1988 up to 31 October the figure is 75. Figures for earlier years are not readily available. These details were not included in the factors taken into account when awarding the contract of Group 4.

Immigration Cases (Ministerial Discussions)

Mr. Vaz: To ask the Secretary of State for the Home Department on how many occasions immigration cases have been discussed by hon. and right hon. Members with the Minister of State at the Home Department; and what is the total number of hours these meetings have lasted for the years 1980 to 1987 inclusive, and for each month for 1988.

Mr. Renton: I see hon. and right hon. Members frequently, both in the Home Office and the House, to discuss immigration cases. Statistics for the number of meetings held in the years 1980 to 1987 are not available. About 48 meetings have been held in the Home Office from 1 January 1988 to 10 November: 4 in January, 8 in

February, 8 in March, 4 in April, 5 in May, 5 in June, 4 in July, 2 in August, 3 in September, 1 in October and 4 in November. The length of meetings is not recorded.

Prison Service (Recruits)

Mr. Vaz: To ask the Secretary of State for the Home Department what was the number of new recruits to the prison service in Britain for each of the years 1985, 1986 and 1987 and to the latest available date in 1988.

Mr. Douglas Hogg: The information requested, for England and Wales only, is as follows:

	Prison Officers
1 April 1985-31 March 1986	997
1 April 1986-31 March 1987	934
1 April 1987-31 March 1988	1,664
1 April 1988-31 October 1988[1]	1,568

[1] Latest available date.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the average time it takes to recruit prison officers from receipt of first application to the time of training.

Mr. Douglas Hogg: About nine months. The time taken in individual cases depends on a number of factors, including the availability of personal and employers' references and the timing of training courses. It is at present lengthening, because the number of suitable applicants exceeds the service's immediate requirements for new recruits.

Prisons

Mr. Vaz: To ask the Secretary of State for the Home Department if he will list each prison in Britain by name stating *(a)* the number of persons they were built to hold and *(b)* the number of persons currently held at these prisons.

Mr. Douglas Hogg: The information requested is set out in the table. The certified normal accommodation and population in respect of each prison service establishment are shown at on 4 November 1988, the most recent date for which details are available.

Prison	*Certified Normal Accommodation*	*Population on 4 November 1988*
Acklington	448	430
Albany	311	374
Aldington	100	104
Alma Dettingen	336	162
Ashwell	404	392
Askham Grange	134	132
Aylesbury	294	278
Bedford	163	339
Birmingham	592	1,094
Blantyre House	64	70
Blundeston	410	409
Bristol	554	621
Brixton	729	1,085
Brockhill	163	239
Buckley Hall	139	141
Bullwood Hall	120	151
Camp Hill	461	460
Campsfield House	70	50
Canterbury	230	343
Cardiff	338	467
Castington	300	224
Channings Wood	538	527
Chelmsford	242	385
Coldingley	296	293
Cookham Wood	120	119
Dartmoor	629	611
Deerbolt	420	398
Dorchester	152	189
Dover	232	188
Drake Hall	288	188
Durham (male)	675	1,060
Durham (female)	40	36
East Sutton Park	84	82
Eastwood Park	146	86
Erlestoke	218	212
Everthorpe	304	374
Exeter (male)	307	397
Exeter (female)	3	—
Featherstone	541	559
Feltham	848	711
Finnamore Wood	116	115
Ford	568	552
Frankland	447	408
Full Sutton	432	264
Garth	512	196
Gartree	320	310
Glen Parva	612	672
Gloucester	193	269
Grendon	260	241
Guys Marsh	180	119
Haslar	100	40
Hatfield	180	166
Haverigg	313	262
Hewell Grange	136	120
Highpoint	825	805
Hindley	323	366
Hollesley Bay	509	474
Holloway	517	470
Hull	386	649
Huntercombe	182	182
Kingston	150	142
Kirkham	632	589
Kirlevington	150	74
Lancaster	186	252
Latchmere House	127	163
Leeds	642	1,252
Leicester	204	389
Lewes	364	567
Leyhill	384	369
Lincoln	391	698
Lindholme	1,001	736
Littlehey	484	439
Liverpool	970	1,419
Long Lartin	432	403
Lowdham Grange	304	230
Low Newton (male)	159	214
Low Newton (female)	36	38
Maidstone	527	544
Manchester	970	1,585
Morton Hall	192	152
Mount	484	329
New Hall	122	107
Northallerton	127	172
Northeye	233	220
North Sea Camp	292	96
Norwich	482	503
Nottingham	202	291
Onley	420	411
Oxford	127	219
Parkhurst	271	234
Pentonville	624	818
Portland	527	520
Prescoed	110	99
Preston	429	520
Pucklechurch (male)	103	117
Pucklechurch (female)	56	51

Prison	Certified Normal Accommodation	Population on 4 November 1988
Ranby	368	367
Reading	178	285
Risley (male)	406	601
Risley (female)	92	132
Rochester	374	366
Rollestone	360	64
Rudgate	378	348
Send	104	100
Shepton Mallet	173	241
Shrewsbury	174	305
Spring Hill	210	191
Stafford	563	831
Standford Hill	384	379
Stocken	300	296
Stoke Heath	360	438
Styal	237	267
Sudbury	499	497
Swaleside	504	284
Swansea	229	298
Swinfen Hall	182	159
Thorn Cross	300	235
Thorp Arch	156	154
Usk	120	42
The Verne	600	600
Wakefield	756	743
Wandsworth	1,254	1,444
Wayland	484	478
Wellingborough	344	349
Werrington	110	81
Wetherby	196	161
Whatton	237	141
Winchester	475	663
Wormwood Scrubs	828	999
Wymott	816	775
Total	45,129	48,936

Television Licences (Pensioners)

Mr. Mullin: To ask the Secretary of State for the Home Department how many pensioners qualify for concessionary television licences; and what is the cost.

Mr. Renton: About 786,000 pensioners and disabled people benefit from the concessionary television licence, at a cost of about £30 million a year in terms of licence revenue forgone. Most are pensioners, but separate records are not kept showing the breakdown between them and the disabled.

Mr. Mullin: To ask the Secretary of State for the Home Department what would be the cost of extending concessionary television licences to all pensioners.

Mr. Renton: The cost of extending the £5 concessionary television licence to all pensioner households would be about £340 million a year in terms of licence revenue forgone.

Prisoners (Police Custody)

Mr. Wells: To ask the Secretary of State for the Home Department how many prisoners were being held in police custody in England and Wales on the most recent date for which figures are available; what was the number at the beginning of October in the current year; and if he will make a statement.

Mr. Hurd: On 4 October 1,917 prisoners were held in police custody in England and Wales; by 10 November the number had fallen to 1,223 a reduction of 694. This reduction has been brought about by the recent suspension of industrial action at those local prisons where branches of the Prison Officers' Association were refusing to accept prisoners from the police. Numbers will continue to fall as those prisons build up to capacity and as more of the extra prison places which I undertook in March to provide throughout this year are delivered. For example, Ashford remand centre re-opened on 9 November, and will provide 400 places for prisoners who would otherwise have been held in police cells. This, together with other place-producing measures which we have in hand, enables us to prepare to close the temporary prisons at Army camps on Salisbury plain and at Camberley before the end of the year as planned. Rollestone camp will close today and Alma Dettingen barracks on 15 December.

EMPLOYMENT

Unemployment Benefit

Ms. Short: To ask the Secretary of State for Employment for each employment service region, how many claimants have been referred to the unemployment benefit service due to availability doubts each month between May and September.

Mr. Lee: This information is not available in the form requested. Questions concerning a person's availability for work may arise following any interview with an employment service official, and records of all such instances are not kept.

However, the table gives figures by employment service region for the number of cases which were referred, following initial claims made in unemployment benefit offices, to the independent adjudicating authorities for a decision on a claimant's availability.

Region	Numbers					
	May	June	July	August	September	Total
Northern	940	1,070	1,580	1,150	1,180	5,920
Yorkshire and Humberside	1,700	1,680	2,460	1,790	1,990	9,620
East Midlands and Eastern	1,780	1,830	2,220	1,670	1,670	9,170
London and South East	5,430	5,700	7,160	6,080	5,470	29,840
South West	1,700	1,450	1,890	1,520	1,450	8,010
Wales	1,150	1,160	1,610	1,230	1,140	6,290
West Midlands	2,020	1,750	2,050	1,690	1,490	9,000
North West	1,640	1,550	2,110	1,740	1,770	8,810
Scotland	1,870	1,980	2,430	1,900	1,670	9,850
Great Britain Total	18,230	18,170	23,510	18,770	17,830	96,510

Numbers of availability submissions to the independent adjudicating authorities.

Adult Training Scheme

Mr. Ray Powell: To ask the Secretary of State for Employment, pursuant to his answer of 18 April to the hon. Member for Ogmore, *Official Report*, column *310*, what are the criteria for paying supplementary grants in connection with the new adult training scheme.

Mr. Nicholls: Supplementary grants are to assist in the provision of higher cost training, including project-based training.

Effective delivery of employment training requires negotiations on levels of supplementary grants to take account of the local client group and labour market needs. Training agency officials take into consideration these factors as well as any extra requirements and additional costs being borne by training managers. Local conditions therefore dictate the level of supplementary grant offered to training managers.

SCOTLAND

General Practitioners (Women)

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give the percentage of general practitioners giving unrestricted medical practice who are women.

Mr. Michael Forsyth: At 1 October 1987, the latest date for which this information is available, 23 per cent. of all general medical practitioners providing unrestricted general medical services were women.

Winget-type Houses

Mr. David Marshall: To ask the Secretary of State for Scotland if he will allocate additional resources to Glasgow district council to enable it to tackle the particular problems affecting the 998 Winget-type of houses in the Carnutyne area; and if he will make a statement.

Lord James Douglas-Hamilton: It is for the district council to determine the priority it attaches to improving its Winget-type houses, to include this work in its capital programme according to that priority, and to determine how it uses the capital allocation made available to it. We shall consider carefully the proposals that the council includes in its programme for next year which has only recently been submitted to the Scottish Development Department.

Education Department (Staffing Review)

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will specify the staffing to be made available to deal with disciplinary matters subsequent to the Scottish Education Department's recently published staffing review.

Mr. Michael Forsyth: The non-teaching time required for such duties was among the factors taken into account in arriving at the staffing formula for secondary schools. I am currently considering comments received on a draft circular about staffing provision in schools.

Special Education (Nursery Nurses)

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total number of nursery nurses employed in special education in each of the past five years, giving a breakdown by regional education authority, division and type of school.

Mr. Michael Forsyth: The numbers employed in education authority special schools and departments at September 1983, 1984 and 1987 are set out in the table. Figures for 1985 and 1986 and for individual types of school are not available.

	1983	*1984*	*1987*
Borders	2	2	3
Central	9	4	3
Dumfries/Galloway	6	5	4
Fife	1	1	1
Grampian	51	51	54
Highland	1	1	—
Lothian	47	49	80
Strathclyde	57	63	55
Tayside	30	11	10
Orkney	—	—	—
Shetland	—	—	—
Western Isles	—	2	3
Scotland	204	189	213
Argyll and Bute	—	—	—
Ayr	19	19	15
Dumbarton	5	14	6
Glasgow (City)	8	7	9
Lanark	15	17	18
Renfrew	10	6	7

SSHA Houses (Ettrick and Lauderdale)

Mr. Steel: To ask the Secretary of State for Scotland whether, pursuant to his commitment, *Official Report*, 11 January, column 45, that there would never be any compulsion on any individual Scottish Special Housing Association tenant, he will make a statement explaining why the factoring of all Scottish Special Housing Association houses in the district of Ettrick and Lauderdale has been transferred from the district council housing department to the Waverley housing trust, without any prior consultation with the tenants affected or the district council; and if he will publish the names of the trustees of this body to whom this responsibility is being transferred, and the price being paid to them for this service.

Lord James Douglas-Hamilton: The Scottish Special Housing Association has agreed in principle to enter into arrangements with Waverley housing trust only for the factoring of its stock in Ettrick and Lauderdale district. Changes in factoring or management arrangements are entirely a matter for the association. The association has statutory responsibilities as landlord towards its tenants and it is for the landlord to make appropriate management arrangements so that these obligations are fulfilled. It is not customary to consult tenants on such matters.

The proposed arrangement between SSHA and Waverley housing trust does not include a commitment on future purchase of the housing stock. Any such proposals would be a matter for the SSHA or Scottish Homes in the first instance but would also require the consent of the Secretary of State for Scotland. Such consent would be withheld unless the principles set out in the guidelines by

the Scottish Development Department on voluntary disposals of stock by local authorities were properly reflected. In particular my right hon. and learned Friend would be concerned to be assured that the tenants had been fully consulted in accordance with the provisions set out in clause 135 of the Housing Bill currently before Parliament.

These arrangements will provide important safeguards for the interests of secure tenants of local authorities, SSHA or Scottish Homes, as the case may be.

Since the detailed arrangements in relation to the management contract are a matter for the SSHA and the Waverley housing trust has not yet been formally established, I have no precise information on the names of the trustees. I understand that Michael Ancram has been invited to be chairman, and that five tenants, two local councillors, other local community representatives and a representative of the financial institutions will be invited to serve.

On the price of the service I refer the right hon. Gentleman to my reply to the question from the hon. Member for East Lothian (Mr. Home Robertson) on Thursday 3 November 1988, at column *755*.

NHS Property (Sale)

Mr. Allan Stewart: To ask the Secretary of State for Scotland whether he has any plans to change the current arrangements governing the sale of surplus National Health Service property; and if he will make a statement.

Mr. Michael Forsyth: Following discussions yesterday with the chairmen of health boards, I have decided that health boards will retain the total proceeds from the disposal of land and property, during a strictly finite period ending in March 1991. This will give further encouragement for health boards to rationalise their property in the interests of reducing costs and improving health care.

Sheriff and District Courts

Mr. Wallace: To ask the Secretary of State for Scotland what the average period was between pleading and trial diets in sheriff and district courts in Scotland for each year since 1984.

Lord James Douglas-Hamilton: Information on the average periods between pleading and trial diets in the sheriff courts is given in the table. I regret that similar information for district courts is not held centrally.

Average period between pleading and trial diet in summary criminal business in the sheriff courts, as at 31 March

	weeks
1984	19·1
1985	16·7
1986	17·0
1987	17·5
1988	17·0

Mr. Wallace: To ask the Secretary of State for Scotland how many persons were called to trial in district courts in Scotland in 1987.

Lord James Douglas-Hamilton: In 1987, 94,022 persons were called to court in district courts in Scotland.

Procurators Fiscal (Police Reports)

Mr. Wallace: To ask the Secretary of State for Scotland how many reports submitted by the police to procurators fiscal were marked for 'no proceedings' in each fiscaldom in Scotland for the whole of 1987 and to the most recently available date in 1988.

Lord James Douglas-Hamilton: The figures are set out in the table. Only the figures for January to September inclusive are available for 1988.

Number of cases marked no proceedings

Offices	*1987*	*1988*
Aberdeen	3,604	1,269
Airdrie	487	459
Alloa	251	245
Arbroath	177	197
Ayr	1,350	941
Banff	145	69
Campbeltown	91	50
Cupar	207	203
Dingwall	241	202
Dornoch	69	38
Dunbarton	842	659
Dumfries	280	207
Dundee	848	719
Dunfermline	1,263	1,033
Dunoon	187	141
Duns	137	134
Edinburgh	10,903	3,444
Elgin	760	539
Falkirk	1,626	1,503
Forfar	87	28
Fort William	270	98
Glasgow	19,772	16,476
Greenock	1,046	628
Haddington	825	492
Hamilton	2,184	2,141
Inverness	859	522
Jedburgh	144	175
Kilmarnock	1,351	1,055
Kirkcaldy	1,399	1,029
Kirkcudbright	89	26
Kirkwall	80	55
Lanark	213	320
Lerwick	110	107
Linlithgow	409	428
Lochmaddy	11	7
Oban	138	100
Paisley	2,277	2,104
Peebles	56	37
Perth	1,670	1,281
Peterhead	515	491
Portree	66	35
Rothesay	71	28
Selkirk	315	212
Stirling	675	312
Stonehaven	238	149
Stornoway	65	30
Stranraer	178	148
Tain	242	197
Wick	197	144

Mr. Wallace: To ask the Secretary of State for Scotland what proportion of reports submitted by the police to procurators fiscal were marked for 'no proceedings' in each fiscaldom in Scotland for the whole of 1987 and to the most recently available date in 1988.

Lord James Douglas-Hamilton: The figures are set out in the table. Only the figures for January to September inclusive are available for 1988.

Offices	Proportion of Reports marked No Proceedings 1987 Per cent.	1988 Per cent.
Aberdeen	25	11·6
Airdrie	5	6·3
Alloa	9	11·4
Arbroath	8	10·6
Ayr	14	11·6
Banff	13	7·5
Campbeltown	11	8·8
Cupar	8	9·1
Dingwall	14	14·3
Dornoch	11	7·9
Dumbarton	10	10·3
Dumfries	3	3·5
Dundee	6	6·7
Dunfermline	18	15·7
Dunoon	12	13·4
Duns	13	10·4
Edinburgh	26	12·4
Elgin	17	16·0
Falkirk	17	20·6
Forfar	3	1·0
Fort William	19	7·5
Glasgow	25	29·5
Greenock	15	12·9
Haddington	20	14·7
Hamilton	9	10·8
Inverness	12	10·1
Jedburgh	8	13·4
Kilmarnock	11	10·9
Kirkcaldy	14	13·3
Kirkcudbright	7	2·5
Kirkwall	13	11·0
Lanark	4	8·0
Lerwick	13	17·1
Linlithgow	5	6·8
Lochmaddy	5	3·0
Oban	12	9·9

Court Cases

Mr. Wallace: To ask the Secretary of State for Scotland whether he or the Lord Advocate has now sought information regarding reasons for cases being marked for 'no proceedings' by the procurators fiscal.

Lord James Douglas-Hamilton: Reasons for cases being marked for no proceedings are regularly sought both in relation to individual cases and procurator fiscal service work loads.

Mr. Wallace: To ask the Secretary of State for Scotland (1) how many witnesses were cited for cases that adjourned without proceedings in *(a)* Edinburgh district, *(b)* Glasgow district, *(c)* Hamilton district and *(d)* Dunfermline district in June;

(2) how many witnesses were cited for cases that adjourned without proceedings in: *(a)* Edinburgh Sheriff Court, *(b)* Glasgow Sheriff Court, *(c)* Hamilton Sheriff Court and *(d)* Dunfermline Sheriff Court in June.

Lord James Douglas-Hamilton: This information is not readily available and cannot be obtained except at disproportionate cost.

SOCIAL SERVICES

Income Support

Mr. Andrew Smith: To ask the Secretary of State for Social Security if he will make a statement on the payment of income support in respect of people in board and lodging, residential care and hostel accommodation.

Mr. Peter Lloyd: From April 1989, people in ordinary board and lodging accommodation will be eligible to claim housing benefit for help with their accommodation costs. On payments to people in hostel accommodation, I refer the hon. Member to my hon. Friend's reply to my hon. Friend the Member for St. Ives (Mr. Harris) on 27 October at column *337*.

The present arrangements to pay income support to people in residential care and nursing homes will continue from April 1989. The longer term future of the funding of people in residential care is being considered by the Government in the context of Sir Roy Griffiths' report on community care.

Correspondence

Mrs. Dunwoody: To ask the Secretary of State for Social Security when he will reply to the letter sent to him on 12 April from Mr. J. Latham, of 199 Middlewich street, Crewe.

Mr. Peter Lloyd: A reply was sent to the hon. Member on 13 May.

Family Credit

Mr. Worthington: To ask the Secretary of State for Social Security if he has any proposals to improve the response time of the family credit unit in Blackpool.

Mr. Peter Lloyd: I refer the hon. Member to my reply to my hon. Friend the Member for Dorset, North (Mr. Baker) on 9 November at column *222*.

Mr. Worthington: To ask the Secretary of State for Social Security what is the target turn around time for claimants of the family credit unit in Blackpool.

Mr. Peter Lloyd: Eighteen working days from date of receipt of the claim to date of the decision.

Mr. Worthington: To ask the Secretary of State for Social Security how many claims are awaiting settlement grant at the family credit unit in Blackpool.

Mr. Peter Lloyd: On 4 November, the latest date for which information is available, 56,400 claims were undecided. Of these 36,400 were awaiting the outcome of inquiries to the claimant for further information or to employers about earnings.

Residential Care Allowance

Mr. McCrindle: To ask the Secretary of State for Social Security what representations he has received concerning the level of residential care allowance; and if he will make a statement.

Mr. Peter Lloyd: We have received representations from hon. Members, interested organisations and individuals, both before and after the announcement of the new limits for April 1989. Details of this uprating were given on 27 October in the schedule published by my right hon. Friend at columns *478-484* and in my hon. Friend's reply to my hon. Friend the Member for St. Ives (Mr. Harris) at column *337*.

Pensioners

Mr. Vaz: To ask the Secretary of State for Social Security what is the number of persons in receipt of state

pensions in the parliamentary constituencies of *(a)* Leicester, East, *(b)* Leicester, West, *(c)* Leicester, South, *(d)* Rutland and Melton, *(e)* Blaby, *(f)* Leicestershire, North-West and *(g)* Market Harborough.

Mr. Peter Lloyd: Information is not available about the number of retirement pension recipients in any particular locality.

Benefits

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is his estimate of the reduction in public expenditure in the current financial year as a result of reduction in entitlement to benefits since 1978; and how much of this has been targeted on raising the real level of benefit to those whom the Government want to help financially.

Mr. Scott: It is not possible to estimate the cumulative impact of the many changes to social security benefits which have been made since 1978, not least because of the major restructuring of income-related benefits in April this year. However, between 1978-79 and 1988-89 social security spending increased by over £31 billion, an increase of 33 per cent. in real terms. Around one third of this increase was due to improvements in the average amounts of benefit paid to claimants.

Low-income Families

Mr. Chapman: To ask the Secretary of State for Social Security what representations he has received concerning the extra financial assistance he proposes to give mothers and families with low incomes during the next financial year.

Mr. Nicholas Scott: Commentators have generally welcomed the substantial additional resources that we are directing toward families in the greatest need. This help will be to the greater benefit of up to 3 million children in lower income families.

Attendance Allowance

Mr. Frank Field: To ask the Secretary of State for Social Security when Lynda McQuillan of 22 Helendale avenue, Fold Estate, Birkenhead will receive a final decision from the attendance allowance board of her claim number BT 147639D lodged in May 1987.

Mr. Nicholas Scott *[holding answer 8 November 1988]:* The attendance allowance board has completed its review of Miss McQuillan's case and its decision will be sent to her within the next seven days. I regret the delay in dealing with this case and I am writing to the hon. Member.

Attendance and Mobility Allowance

Mr. Hinchliffe: To ask the Secretary of State for Social Security how many people are currently being denied the disability or higher pensioner premium to income support because they do not meet the age or residence test attached to the passport benefits of attendance and mobility allowance.

Mr. Scott *[holding answer 10 November 1988]:* I regret that information is not available. However it is not possible for a claimant to have been denied the disability premium or the higher pensioner premium because he does not satisfy the age test for attendance allowance; that allowance has no upper age limit. Those who fail the age test for mobility allowance may qualify for attendance allowance and receive the premiums on that ground. The number of claimants who fail to satisfy the residence test for attendance and mobility allowance is estimated to be very small.

ENERGY

Conservation

Mr. Kirkwood: To ask the Secretary of State for Energy if he will publish in the *Official Report* a table showing the level of Government spending on energy conservation over the past five years.

Mr. Peter Morrison: The expenditure by the energy efficiency office over the last five years is as follows:

	£ million
1983-84	11·4
1984-85	17·5
1985-86	22·5
1986-87	24·5
1987-88	18·6

The programmes of a number of other Government Departments also contribute to the improvement of energy efficiency, but in most cases the energy efficiency element is not identified separately. However figures are available for the homes insulation scheme, operated by the Department of the Environment, under which expenditure over the same period was as follows:

	£ million
1983-84	22·5
1984-85	25·3
1985-86	28·0
1986-87	26·5
1987-88	[1]21·6

[1] Provisional.

HEALTH

Equal Opportunities

Mr. Cohen: To ask the Secretary of State for Health (1) if he will take steps to ensure that advertisements in future recruitment campaigns for nurses in the National Health Service show both black and white nurses and potray them performing similar tasks; and if he will make a statement;

(2) if he will issue guidelines to health authorities to the effect that racial discrimination should be treated as unprofessional and punishable; and if he will make a statement;

(3) what steps he takes to ensure that young black women are encouraged into the nursing profession; what information he has about the current percentage of registered general nurse trainees that are black and about the relative numbers of black and white nurses who are directed towards state enrolled nurse and state registered nurse training, respectively; what steps are taken to ensure that arduous and unpopular nursing jobs are allocated, and promotions made, on a non-racial basis; and if he will make a statement.

Mr. Mellor: The Department's nurse recruitment advertisements are filmed in NHS hospitals using local nurses. Although we try to include nurses of various ethnic groups this depends on the availability of suitable staff in the particular location who are willing to appear in the advertisement. The Department's nursing careers publicity material does include nursing and midwifery staff from a number of ethnic groups.

Health authorities are producing careers leaflets in a variety of languages depending on local needs with the aim of encouraging people from their local ethnic groups to consider nursing as a career. Next year the Department will be producing for use by health authorities in local campaigns a nursing careers video specifically for ethnic minority groups. A video "Nursing For All—Career Opportunities for the Asian Community" has been produced by the Royal Society of Medicine for the Spitalfields task force with funding from a number of bodies including the Department. The aim of this video, which is available in five Asian languages, is to convince Asian families that nursing is a worthwhile, rewarding career.

Information is not available centrally about the ethnic origins of students or nursing staff.

Health authorities,which have been sent guidance in the Department's circular HC (78)36 and who are in receipt of the Commission for Racial Equality's code of practice, are well aware of their duties and responsibilities under the Race Relations Act 1976, and also of the role of the Commission and other bodies in dealing with alleged cases of discrimination. Our main concern now must be to identify the most effective means of encouraging and helping authorities to develop and implement policies of equal opportunities. That is why we support the work of the King's fund task force on racial equality in the NHS, whose model policy document, published in July of last year, was commended by the then Minister for Health my hon. Friend the Member for Braintree (Mr. Newton) in a letter sent to all health authority chairmen. Further guidance and support is, I understand, in the pipeline. In the circumstances I see no need at present for the issue of additional guidance by the Department.

Smoking

Mr. Amos: To ask the Secretary of State for Health what assessment he has made of the effects of the new advertising campaign mounted by Gallaher's linking bread with smoking on the national anti-smoking campaign.

Mrs. Currie: None. The advertisement is within the current guidelines.

QED Campaign

Mr. Vaz: To ask the Secretary of State for Health what information he has as to the expected cost to the local health authority of the QED campaign which has been launched by the Leicester general hospital.

Mr. Mellor: Costs of local campaigns are a matter for the district health authority and the hon. Member may care to write to Mr. Farnham, the chairman of Leicestershire health authority, for the information that he seeks.

Mr. Vaz: To ask the Secretary of State for Health what information he has as to the number of hospitals that have launched QED campaigns similar to that recently launched by Leicester general hospital and as to the amount of money expected to be saved.

Mr. Mellor: We do not collect such information centrally.

Mental Health Services

Mr. McCrindle: To ask the Secretary of State for Health what is his policy with respect to retaining overall responsibility for the care of people with mental illness within the National Health Service; and if he will make a statement.

Mrs. Currie: We have no plans to change the responsibility for care of people with mental illness within the National Health Service. Proposals for improvement of the service in the community have been put to Ministers by Sir Roy Griffiths and our response will be made as soon as possible.

Mr. McCrindle: To ask the Secretary of State for Health what is his policy with regard to funds released from the run-down of large psychiatric hospitals being used within the National Health Service for the development of mental health services; and if he will make a statement.

Mrs. Currie: Health authorities are asked to ensure that, generally, the proceeds of the sale of psychiatric hospital property are spent on the development of psychiatric services. Revenue and capital savings by changes in the operation of hospitals continuing in use are deployed by health authorities as they judge best in local circumstances.

Mr. McCrindle: To ask the Secretary of State for Health if he will make a statement on his policy on health districts providing a wide range of residential accommodation for mentally ill persons planned according to local needs; and if he will make a statement.

Mrs. Currie: Every health district should ensure the provision of a comprehensive range of services for mentally ill people, planned according to local needs. These services are likely to include residential care homes, nursing homes and hostels. The responsibility for providing these services rests with district health authorities and local authority social services departments, working in collaboration with the voluntary and private sectors.

Mr. McCrindle: To ask the Secretary of State for Health how many psychiatric services have a voluntary help organiser; what measures he proposes to take to encourage the increase of voluntary help organisers; and if he will make a statement.

Mrs. Currie: I regret that we do not hold information centrally on the number of voluntary help organisers, whose responsibilities are not necessarily restricted to a particular specialty. It is for health authorities to determine the number of organisers needed, but long-standing departmental guidance encourages their appointment as an effective means of developing and co-ordinating voluntary help in hospitals.

Medical Negligence

Ms. Harman: To ask the Secretary of State for Health how many complaints alleging medical negligence were

received by each regional health authority in England in the years 1984-85 to 1986-87; and what outcomes have been recorded.

Mr. Mellor: We do not hold such information centrally.

Ms. Harman: To ask the Secretary of State for Health (1) what proportion of the total cost of awards to victims of medical accidents was met by the National Health Service; and what proportion by medical defence organisations, in each of the years 1984-85, 1985-86 and 1986-87;

(2) if he will list the total expenditure on legal costs incurred *(a)* by the National Health Service as a whole, *(b)* by the hospital and community health service and *(c)* by the family practitioner service in defending cases brought by the victims of medical accidents for each of the years 1984-85, 1985-86 and 1986-87.

Mr. Mellor: We do not hold centrally information on awards to victims of medical accidents in respect of health authorities in England.

The legal costs incurred by health authorities in such cases are treated as an administrative expense and are not separately identified in the annual accounts submitted to the Department.

In the case of family practitioner services, general medical practitioners, as well as other family practitioners, are independent contractors and as such are individually responsible for any actions or claims arising from the services provided by them. Any costs arising from defending such actions, and the cost of any awards made, are therefore a matter for the family practitioner concerned.

Ms. Harman: To ask the Secretary of State for Health how many complaints alleging medical negligence were received by the family practitioner service in each of the years 1984-85, 1985-86 and 1986-87; and what outcomes were recorded.

Mr. Mellor: Family doctors are independent contractors and complaints alleging medical negligence are for settlement between the doctor and the aggrieved party. Family practitioner committees have no power to investigate allegations of medical negligence but can investigate complaints that a doctor has failed to comply with his terms of service in providing general medical services.

FP10 Forms

Mr. Fisher: To ask the Secretary of State for Health (1) how many FP10 forms have been issued by general practitioners in each of the last 10 years;

(2) how many FP10 forms were submitted to chemists and other dispensaries in each of the last 10 years.

Mrs. Currie: I regret that we do not hold information on the number of FP10 forms issued by general practitioners. The number of forms sent by chemist contractors in England to the Prescription Pricing Authority were as follows:

Year	*Number of forms (millions)*
1978	186·5
1979	184·0
1980	183·7
1981	181·1
1982	186·7
1983	188·5
1984	190·8
1985	191·6
1986	192·2
1987	198·0

These figures exclude prescriptions dispensed by doctors.

Mr. George Farnham

Mr. Vaz: To ask the Secretary of State for Health if he will list those right hon. and hon. Members he consulted before re-appointing Mr. George Farnham as chairman of the Leicestershire district health authority.

Mr. Mellor: There is no legal requirement to consult. However, before Mr. Farnham and a number of other health authority chairmen were appointed or reappointed from 1 April 1988, the then Minister for Health, my right hon. Friend the Member for Braintree (Mr. Newton) invited nominations from all hon. Members in his reply to my hon. Friend the Member for Chipping Barnet (Mr. Chapman) on 23 July at column *491*.

Dental Services

Mr. Austin Mitchell: To ask the Secretary of State for Health whether he will publish in the *Official Report* a table for each financial year since 1973 and his estimate for the current year of the number of dental treatments carried out under the National Health Service, the number charged, the cost of the treatment and the proportion paid by the patient and the number of free treatments for *(a)* children, *(b)* pensioners and *(c)* other beneficiaries together with the numbers qualifying for such treatment and the cost; and what is his estimate of the average number of treatments given to a married manual worker, his wife and two children, together with the amount charged for such treatment.

Mrs. Currie: I shall write to the hon. Member.

Motor Neurone Disease

Sir John Farr: To ask the Secretary of State for Health what have been the amounts of public money spent on research into motor neurone disease in each of the past three years; and what plans there are to expand this research.

Mr. Jackson: I have been asked to reply. The main agency through which the Government support medical research is the Medical Research Council, which receives its grant in aid from the Department of Education and Science.

Funding from the Medical Research Council for research specifically into motor neurone disease over the past three years was:

	£
1985-86	219,235
1986-87	31,206
1987-88	137,682

In addition, the Medical Research Council, and to a smaller extent the Science and Engineering Research

Council, support a range of basic research which may be of relevance to motor neurone disease. Some support for research in this area is also provided through UGC block grants to universities.

The research councils determine their own scientific priorities. They are always willing to consider soundly based scientific proposals for funding in competition with other applications.

Radioactivity

Mr. Alton: To ask the Secretary of State for Health what are the implications to public health of the increase in airborne radioactivity in the north-west of England on the night of 28-29 October; and if he will make a statement.

Mrs. Currie: I have nothing further to add to the reply given by my hon. Friend the Parliamentary Under-Secretary of State for the Environment on 10 November.

Patient Statistics

Mr. Dobson: To ask the Secretary of State for Health if he will give, for each district health authority, the percentage increase or decrease since 1982 in the number of patients treated each year, giving for each district health authority its ranking in England.

Mrs. Currie *[holding answer 31 October 1988]:* The information requested has now been placed in the Library.

NATIONAL FINANCE

Pensions

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what is the total number of persons in Government service, of all kinds, national and local who will be eligible for index linked pensions; how many such persons have already left government service and received index linked pensions; and how much these pensions cost for 1975, 1979, 1984 and 1988.

Mr. Brooke: Under the Social Security Provisions Act 1975 public service pensions are uprated in line with state earnings-related pensions. Total numbers in public service schemes covered by these arrangements amount to 3·9 million, including the Civil Service, armed forces, NHS, teachers, police, fire and local government.

For the centrally administered schemes the numbers in receipt of such pensions and their total cost in 1984 and 1988 were as follows:

	Number of Pensioners	*Cost £*
At 5 April 1988		
Civil Service	375,981	1,063,798,810
National Health	264,939	680,418,359
Teachers	223,473	997,361,797
Armed Forces	156,939	572,473,764
At 5 April 1984		
Civil Service	338,245	801,344,916
National Health	225,353	490,094,220
Teachers	190,011	715,141,627
Armed Forces	161,549	453,081,016

No information is available before 1980.

For the devolved schemes—police, fire and local authority—information on those in receipt of pensions is not held centrally and could be provided only at disproportionate cost.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the tax yield from taxing *(a)* the income of pension funds at the basic rate of tax and *(b)* the employee's pension contributions at a rate equal to the difference between the employee's marginal rate and the standard rate in respect of that part of the contribution which exceeds the threshold for higher rate tax when it is aggregated with the contributors' income for tax purposes.

Mr. Norman Lamont: The estimated direct revenue cost of relief on the investment income of occupational pension funds in 1988-89, assuming relief at the basic rate of tax is £4,400 million. The information requested in part *(b)* is not available.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of *(a)* the value of actual and notional pension contributions in the current financial year of the state and other kinds of pensions schemes detailed in paragraph 5 of the Inland Revenue consultative document issued in September 1983 *(b)* the value of the pensions paid under such schemes and *(c)* the amount of tax payable in each case assuming, in the case of disbursements, that the pensioner has no other income.

Mr. Norman Lamont: Information for the current financial year in the detail requested is not available. Table 4.10 of the United Kingdom national accounts gives information on contributions to funded, notionally funded and unfunded pension schemes and *Business Monitor* MQ5 for Quarter 2 1987 provides information on self-administered pension funds.

Distributional data on which to estimate the figure requested in part *(c)* are not available.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table bringing up to date for the current financial year the calculations in appendix B to the paper by the Inland Revenue on the cost of tax reliefs for pension schemes issued in September 1983.

Mr. Norman Lamont *[holding answer 3 November 1988]:* The available information is as follows:

£ million

	Estimated direct revenue cost 1988-89		
	Funded	Notionally funded or unfunded	All schemes
Employees' contribution to occupational pension schemes allowed as a deduction for income tax purposes	1,300	400	1,700
Basic rate tax relief on occupation pension funds' investment income	4,400	—	4,400
Exemption of lump sum (assuming relief at the basic rate)	n/a	n/a	1,100
Income tax paid on occupational pensions in payment	n/a	n/a	2,400

n/a = not available.

The information will enable the costs of approaches I, III and IV in the paper to be derived. The remaining information required for approach II and the 1983 "existing method" is not readily available.

Tax Statistics

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing for the single and for one-earner and two-earner married couples, the number of tax units in each income band above and below this level.

Mr. Norman Lamont: I regret that the hon. Member's question contains insufficient information for a reply to be given.

Age Allowance

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether the Government propose to abolish the age allowance for income tax purposes to provide revenue for an increase in benefit for the needy aged.

Mr. Norman Lamont: No. Age allowance helps to keep some two thirds of elderly households with lower incomes out of income tax.

Invisible Trade

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list for each year since 1980 the net results of Britain's invisible trade on a balance of payments basis both in total and distinguishing between services, interests, profits, dividends and transfers.

Mr. Major: The figures requested can be found in table 1.1 of the 1988 edition of the "United Kingdom Balance of Payments", (the CSO's "Pink Book").

They are presented in the following table:

£ million

	1980	1981	1982	1983	1984	1985	1986	1987
Balance on:								
Services	3,949	3,923	2,762	3,721	3,941	5,962	5,618	5,638
Interests, profits and dividends	−196	1,210	1,446	2,847	4,433	2,800	5,079	5,523
Transfers	−1,984	−1,547	−1,741	−1,661	−1,772	−3,079	−2,180	−3,503
Total invisibles	1,769	3,586	2,467	4,907	6,602	5,683	8,517	7,658

Press Briefing

Mr. Sedgemore: To ask the Chancellor of the Exchequer (1) if his meeting with journalists on Friday about future plans for pensions was recorded by tape or other means; and if he will make a statement;

(2) if meetings he has with journalists from the press lobby are recorded; and if he will make a statement.

Mr. Madden: To ask the Chancellor of the Exchequer if he will place a copy of the tape recording of his briefing with journalists on 4 November in the Library.

Mr. Winnick: To ask the Chancellor of the Exchequer what record was kept by his staff of the briefing he gave to Sunday newspaper correspondents on 4 November; whether it is intended to bring the record of the exchanges at that meeting officially in to the public domain; and if he will make a statement.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer (1) whether, pursuant to his oral answers of 7 November, *Official Report*, columns 22-27, he will publish in the *Official Report* a verbatim record of his briefing to journalists on Friday 4 November;

(2) whether, pursuant to his oral answers of 7 November, *Official Report*, columns 22-27, he will deposit in the Library a transcript of any tape recording made of his briefing to journalists on Friday 4 November;

(3) whether, pursuant to his oral answers of 7 November, *Official Report*, columns 22-27, he will publish in the *Official Report* a summary of his briefing to journalists on Friday 4 November in so far as it related to future targetting of benefits.

Mr. Lawson: I regret that no tape-recording or transcript of the briefing exists. I have nothing to add to the information I gave the House on 7 November.

Mr. Winnick: To ask the Chancellor of the Exchequer (1) if any of his staff have contacted the newspapers or the correspondents who attended the briefing on 4 November, regarding the articles which had appeared on 6 November on benefits for pensioners;

(2) if the chief information officer or any of his assistants contacted on 4 or 5 November the correspondents who had attended the briefing he gave on 4 November; and if he will make a statement;

(3) which correspondents from Sunday newspapers attended the briefing he gave on 4 November, and which officials;

(4) if he intends to continue to give briefings to correspondents of the Sunday newspapers; and if he will make a statement.

Mr. Lawson: It is not the practice to publish details of ministerial or departmental contacts with the press.

Mr. Winnick: To ask the Chancellor of the Exchequer if he has made any official complaint to the secretary of the press gallery regarding the articles on benefits for pensioners which appeared in the Sunday newspapers on 6 November; and if he will make a statement.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer whether he will list those statements made in the press on 6 November which misrepresented his statements made to journalists at a briefing on 4 November, to which he referred to in his answer of 7 November, *Official Report*, column 26.

Mr. Lawson: I have nothing to add to what I said in the House on 7 November at column *21-27*.

National Debt

Mr. Tim Smith: To ask the Chancellor of the Exchequer how much of the national debt was repaid in 1987-88; what was the total amount outstanding at 31 March; how much he estimates will be repaid this year; and how long it would take for the whole sum to be repaid if annual repayments of £10 billion were made with effect from 1988-89.

Mr. Lilley *[holding answer, 1 November 1988]:* Public sector debt repayment in 1987-88 was £3.6 billion. The net debt of the public sector outstanding at 31 March 1988 was £171.3 billion. My right hon. Friend the Chancellor estimates that some £10 billion of public sector debt will be repaid in 1988-89.

Leaving aside any capital gains or losses which might occur to the values of marketable public debt, and which are inevitably uncertain, then annual repayments of £10 billion would eliminate net public debt in approximately 17 years.

EC (Investment)

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what is Her Majesty's Government's estimate, in pounds sterling, of the value (i) of direct investment and (ii) portfolio investment in the United Kingdom from the rest of the EEC in each financial year from 1981 to the latest available year; and what is the corresponding value of such investment by the United Kingdom in the rest of the EEC.

Mr. Lawson *[holding answer 8 November 1988]:* Estimates of direct investment flows between the United Kingdom and EEC are available up to 1986 in *British Business*, but only on a calendar year basis. These are reproduced in table 1.

Estimates of United Kingdom portfolio investment in the EEC and of EEC portfolio investment in the United Kingdom are incomplete and not separately published. However, table 10.1 of the CSO "Pink Book" publishes estimates of total direct and portfolio investment flows between the United Kingdom and EEC, to the extent that these are available.

Table 1

Direct investment flows between United Kingdom and EEC

£ million

	United Kingdom investment in EEC	*EEC investment in United Kingdom*
1981	223	12
1982	−96	171
1983	−95	434
1984	−212	−2,073
1985	2,619	1,319
1986	2,472	2,338

Note: Figures prior to 1984 exclude oil companies.

Tax Fraud

Mr. Fisher: To ask the Chancellor of the Exchequer how much unpaid tax was recovered, as a result of tax fraud investigations from *(a)* individuals and *(b)* companies in each of the past five years.

Mr. Norman Lamont *[holding answer 4 November 1988]:* The tax recovered was:

£ million

	(a) Individuals	*(b) Companies*
1983-84	280	41
1984-85	334	50
1985-86	345	67
1986-87	378	63
1987-88	421	74

Mr. Fisher: To ask the Chancellor of the Exchequer what was the cost and how many people were employed by his Department in pursuing tax fraud in each of the past five years relating to individual tax payers and to companies.

Mr. Norman Lamont *[holding answer 4 November 1988]: The cost and staff employed in pursuing tax fraud were as follows:*

	Individuals		*Companies*	
	Cost (£m)	*Staff (Units)*	*Cost (£m)*	*Staff (Units)*
1983-84	26·8	1,540	7·5	295
1984-85	27·9	1,950	8·0	300
1985-6	28·9	2,015	7·9	275
1986-7	30·0	2,075	8·2	270
1987-88	33·2	2,300	9·2	300

TRANSPORT

Road Fund

Mr. Leadbitter: To ask the Secretary of State for Transport what is the latest available total for road fund tax collected; and what was the amount spent on road repairs and new road provision, respectively, for the same period.

Mr. Peter Bottomley: The estimated net revenue for England in the current financial year for road fund tax is £2·3 billion. The provision for national and local road construction and maintenance in England in the current financial year is about £2·9 billion.

Drink-Driving

Ms. Walley: To ask the Secretary of State for Transport if he will give details of the number of road and transport drink-related accidents in Stoke on Trent, giving the most recent figures and the annual figures for the last five years.

Mr. Peter Bottomley: The only information available on drinking and driving at a local authority level is the number of accidents where a driver has been given a roadside breath test, and failed it. We cannot break down the information on the blood alcohol level of drivers killed to give local authority figures. We know that there are drivers who for various reasons are not given a breath test, some of whom would probably have failed the test.

Given these limitations, and defining a "drink/drive accident" as one where at least one of the drivers or riders involved has been given a roadside breath test and failed it, the provisional accident data for the Stoke-on-Trent local authority area for the period January to July 1988, the latest period for which figures are available, show that 600 personal injury accidents occurred, of which 21 were drink/drive accidents. Comparable data for the last five years are given in the following table:

Accidents: Stoke-on-Trent local authority area: 1983-87

	Fatal	*Serious*	*Slight*	*Total*
1983				
A	19	252	923	1,194
B	2	22	47	71
C	10·5	8·7	5·1	5·9
1984				
A	19	230	1,022	1,271
B	2	17	48	67
C	10·5	7·4	4·7	5·3
1985				
A	13	251	936	1,200
B	1	16	50	67
C	7·7	6·4	5·3	5·6
1986				
A	16	200	1,025	1,241
B	1	12	72	85
C	6·3	6·0	7·0	6·8
1987				
A	9	191	960	1,160
B	0	11	39	50
C	0·0	5·8	4·1	4·3

A = total accidents.
B = drink-drive accidents.
C = B as a percentage of A.

Southern National Ltd.

Mr. David Nicholson: To ask the Secretary of State for Transport what representations his Department has had from Southern National Ltd. regarding public service vehicle tests in the western traffic area; whether the present arrangements are able to provide tests in less than six weeks from bookings being made; and what proposals he has for improvement.

Mr. Peter Bottomley: At the company's request, the clerk to the Traffic Commissioner is meeting Southern National Ltd. on 23 November to discuss arrangements for PSV driving tests in the western traffic area.

Forward booking dates for PSV and HGV tests, including appointments reserved under advance provisional booking arrangements, range from three weeks at Plymouth to nine weeks at Poole. The average forward booking date is five and a half weeks.

We aim to provide tests within four weeks at all centres. Three additional permanent examiners are being trained for appointment to the western traffic area before the end of the year. A further two posts have been approved—one at Poole and one at Taunton.

Vehicle Wheels (Safety)

Mr. Faulds: To ask the Secretary of State for Transport what examination he is making of the problems of accidents arising from wheels coming loose or falling off lorries or buses with twinned coned fixed wheels; and if he intends to introduce regulations to require the adoption of flat nuts with coned washers.

Mr. Peter Bottomley: Wheel security on commercial vehicles has been the subject of recent research by the Motor Industry Research Association, sponsored by the Institute of Road Transport Engineers and the Department of Trade and Industry. The Department and the British Standards Institute expect to receive the full research reports shortly. These will be carefully considered to see whether any changes are needed in the current British standard and regulations.

EC Assistance

Mr. Win Griffiths: To ask the Secretary of State for Transport what was the value of transport infrastructure schemes presented to the European Commission for assistance between 1985 and 1987 from (i) south east England and (ii) the rest of the United Kingdom.

Mr. Portillo: The value of schemes presented for transport infrastructure grant between 1985 and 1987 from south-east England was £367 million, and from the rest of the United Kingdom £875 million.

Air Services Agreement

Mr. Colvin: To ask the Secretary of State for Transport what action he intends taking to seek to persuade the European Commission to amend the 1983 directive on the regional air services agreement to remove the 70-seat and 30-tonne weight limit on aircraft; and what other amendments to the directive he wishes to see implemented.

Mr. Peter Bottomley: A European Commission proposal for amendment of the inter-regional air services directive 1983 is being discussed in the Council's transport working group. The proposal, if adopted, would remove the 70 seat limit and 30 tonne weight limit and would also make it easier to establish new inter-regional air services. We wish to see all these amendments implemented.

Barnstaple Downstream Bridge

Mr. Speller: To ask the Secretary of State for Transport what consideration he has given to the Barnstaple downstream bridge to complete the route encircling Barnstaple; and what further information or action he requires from Devon county council before he can reach a decision on grant or loan sanction.

Mr. Peter Bottomley: The Barnstaple downstream bridge is a Devon county council scheme and is shown in the county council's 1989-90 transport policies and programme with a start of works in June 1995. The timing and priority of the scheme is entirely a matter for the county council. It is as yet too early to consider it as a candidate for transport supplementary grant.

Highways Expenditure

Mr. Fisher: To ask the Secretary of State for Transport what has been the average expenditure, per capita, on highways in each of the last five years for *(a)* construction, *(b)* maintenance and *(c)* in total for (i) England and Wales, (ii) Staffordshire and (iii) Stoke-on-Trent.

Mr. Peter Bottomley: Local authority expenditure per capita was as follows:

£s.1p

	1983-84	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Staffordshire					
Construction	10·13	9·75	12·59	11·22	6·36
Maintenance	15·51	14·39	16·80	19·44	18·43
Total	25·64	24·14	29·39	30·66	24·79
England					
Construction	9·77	10·35	11·76	12·38	11·85
Maintenance	18·71	19·31	20·46	21·22	23·61
Total	28·48	29·66	32·22	33·60	35·47

Separate information is not available for Stoke-on-Trent. National roads programme is not analysed by local authority area. The Department of Transport is not responsible for Wales.

A46-A47 Link Road

Mr. Vaz: To ask the Secretary of State for Transport if he has any plans to visit Leicester to discuss the route of the A46-A47 link road.

Mr. Peter Bottomley: No. The A46-A47 link road is a local authority scheme which is the responsibility of Leicestershire county council as highway authority.

Speed Limits

Mr. Steel: To ask the Secretary of State for Transport what consultations he will be having with Ministers of the other European Community states in advance of 1992 on securing common speed limits on motorways.

Mr. Peter Bottomley: We see no need for European harmonisation of speed limits on road safety grounds. We have made this clear in discussions with the European Commission and in the regular meetings of the Council of Ministers. We await Commission proposals for new road safety initiatives within the Community.

If our road casualty rate applied to the rest of the Community, 40 per cent. fewer people would die.

Our concern is to cut casualties, not harmonisation for its own sake.

Procurement Savings

Mr. Curry: To ask the Secretary of State for Transport what is his target for procurement savings in 1988-89; when it was declared; and what is his estimate of the likelihood of its being achieved.

Mr. Peter Bottomley: The Department's target is £61·68 million or 5·1 per cent. of purchasing expenditure. We are making useful progress towards it. It is too soon to predict the outturn.

Mr. Curry: To ask the Secretary of State for Transport what is his target for procurement savings in 1987-88 as a percentage of total budget; and what was the comparable target in the previous year.

Mr. Peter Bottomley: The Department's target amounted to 3·1 per cent. of the total budget, compared with 1·3 per cent. in the previous year. Savings actually achieved amounted to 3·2 per cent. (or £37 million).

Mr. Curry: To ask the Secretary of State for Transport what was his target for procurement savings in his Department for 1986-87 expressed as a percentage of total budget; what percentage was achieved; and what was the relationship of actual to target savings.

Mr. Peter Bottomley: The Department's target amounted to 1·3 per cent. of total budget. The percentage actually achieved was 1·9 (or £20·18 million). This was an improvement of 45 per cent. over target.

Written Answers to Questions

Monday 14 November 1988

HOUSE OF COMMONS

English Sparkling Water

Mr. Steen: To ask the Lord President of the Council if he will make it his policy to ensure that English sparkling water is always available for consumption in the Members Smoking Room.

Mr. Wakeham: It is already the Refreshment Department's policy to have British mineral waters available at all of its outlets. The error leading to the temporary absence of British sparkling waters in the Members Smoking Room has now been rectified.

PRIME MINISTER

Northern Ireland (Civil Rights)

Mr. McNamara: To ask the Prime Minister when she will reply to the letter dated 26 October from the hon. Member for Kingston upon Hull, North about civil rights in Northern Ireland.

The Prime Minister: I have replied to the hon. Gentleman today.

Channel Tunnel

Mr. Adley: To ask the Prime Minister, pursuant to her oral answer to the hon. Member for Christchurch on 1 November, *Official Report*, column 820, concerning priorities for rail investment in the Channel tunnel, whether she will list the priorities of the Government in connection with providing the maximum benefits to the nation through improved rail links to the Channel tunnel.

The Prime Minister: British Rail, not the Government, is responsible for determining priorities for rail investment, including that associated with the Channel tunnel. We have already approved in principle tunnel-related investment by BR of some £600 million, and we shall be happy to consider further proposals put to us which can be justified on a commercial basis.

South Africa

Mrs. Dunwoody: To ask the Prime Minister if she will make representations to the South African authorities regarding the effects on United Kingdom-South African relations of the conscription of British nationals living in South Africa into the South African defence forces.

The Prime Minister: No.

Mrs. Dunwoody: To ask the Prime Minister what representations she has received on the practice of British corporations operating in South Africa of making supplementary payments to white employees called to serve in the South African forces.

The Prime Minister: As far as I am aware, none.

OVERSEAS DEVELOPMENT

Jamaica (Hurricane Gilbert)

72. **Ms. Abbott:** To ask the Secretary of State for Foreign and Commonwealth Affairs what help his Department will be giving Jamaica in the task of reconstruction following Hurricane Gilbert.

Mr. Chris Patten: Immediately after the hurricane we gave emergency supplies and assistance worth £550,000. As soon as the extent of the damage was assessed, we offered a grant of £3 million for reconstruction work.

80. **Mr. Patnick:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further reconstruction aid he is providing for Jamaica following Hurricane Gilbert.

Mr. Chris Patten: In addition to emergency aid, we have offered £3 million for reconstruction aid in Jamaica. About £2 million of this is being used for repairing the electricity distribution system. We shall respond positively to Jamaican requests for use of the remaining £1 million.

Zambia (Debt Relief)

73. **Mr. Andrew Smith:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the Government are making to assist debt relief in Zambia.

Mr. Chris Patten: We have told the Zambians that we stand ready to cancel their outstanding aid debt and reschedule their export credit loans in the Paris Club once they have put in place an economic reform programme which has been agreed with the International Monetary Fund and the World Bank.

Aid (Environmental Impact)

74. **Mr. Hayward:** To ask the Secretary of State for Foreign and Commonwealth Affairs what work the Overseas Development Administration is doing to assess the impact of soil degradation on the economies of developing countries.

Mr. Chris Patten: Appreciating the costs of soil degradation is important, not least because it is preferable to devote resources to preventing degradation than to deal with the consequences. We are undertaking research studies in Zimbabwe and, with the World Bank, in Nepal and we are funding work on integrating environmental costs and benefits in project appraisal.

77. **Mr. Burns:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether Britain's overseas aid projects are assessed for their impact on the environment of recipient countries; and if he will make a statement.

Mr. Chris Patten: It is the policy of the Overseas Development Adminstration that its aid managers should ensure the environmental soundness of projects from the earliest stage to completion and evaluation. A new ODA manual to help project managers decide how much environmental assessment is required in each case is currently being field tested.

Mr. Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the ecological safeguard criteria used in assessing and approving aid projects.

Mr. Chris Patten: It is the policy of the Overseas Development Administration that the environmental impact of all projects should be addressed before approval. Safeguard criteria are chosen on a case by case basis depending on such factors as the sensitivity of affected ecosystems and the type of project.

Locust Control

75. **Mr. Roger King:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has met representatives of the desert locust control organisation; and if he will make a statement.

Mr. Chris Patten: I met representatives from the Desert Locust Control Organisation for Eastern Africa on 26 October. I confirmed Britain's support for the organisation and that we would be providing an additional £500,000 of emergency aid in support of its locust control activities. I had further discussions with the organisation in Ethiopia last week. I have decided to make another £1 million emergency aid available for locust control in eastern Africa. This brings the total British support pledged for locust control in Africa since the beginning of last year to over £7·5 million.

Zimbabwe

76. **Sir Trevor Skeet:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to provide additional aid to Zimbabwe.

Mr. Chris Patten: My right hon. Friend the Prime Minister announced a new pledge of £15 million when she met President Mugabe on 1 October.

Voluntary Agencies

78. **Mr. Hannam:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to increase the funds available to British voluntary agencies working in developing countries.

Mr. Chris Patten: I recently announced an additional £3 million for voluntary agencies working in developing countries. Up to £2·5 million is being made available to support post-flood rehabilitation programmes in Bangladesh; and £500,000 has been allocated to the joint funding scheme, bringing this year's budget for the scheme to £11·2 million.

Our financial support for the voluntary agencies has increased substantially in recent years. Although decisions about next year's spending have yet to be finalised, I look forward to being able to offer substantial support in the future.

Nepal (Reafforestation)

79. **Mr. Livsey:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to make provision for an increase in his Department's support for reafforestation in Nepal.

Mr. Chris Patten: I recognise the importance of forest conservation and reafforestation in Nepal. Our current commitments to forestry projects in Nepal are about £7 million. These fund research and the provision of information designed to assist both of these objectives throughout Nepal, as well as a community forestry project in eastern Nepal. We have assisted the preparation of a forestry master plan for the development of the forestry sector in Nepal over the next 25 years. This plan is now in the final stage of consideration by the Government of Nepal. As soon as it is ready my officials will be discussing with the Nepalese Government and other donors what role we might play in its implementation.

United Nations High Commissioner for Refugees

81. **Mr. Knox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will indicate the level of Her Majesty's Government's support for the United Nations High Commissioner for Refugees; and if he will make a statement.

Mr. Chris Patten: So far in the calendar year 1988 we have provided £21·2 million, our highest ever contribution to the organisation. This substantial assistance makes Britain one of the largest contributors and reflects the importance we attach to the vital work of the UNHCR.

AIDS

82. **Mr. Hayes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards the inclusion of AIDS education in family planning programmes supported by the overseas aid budget.

Mr. Chris Patten: We believe information on AIDS and its prevention should be available throughout the health care system. In collaboration with the World Health Organisation's global programme on AIDS and other donors we are encouraging countries to adopt this integrated approach. We are giving £1·6 million to the International Planned Parenthood Federation to develop specific AIDS-related strategies including information and education services for family planning workers and their clients.

Kurdish Refugees (Turkey)

83. **Mr. David Atkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British aid for the Kurdish refugees in Turkey.

Mr. Chris Patten: Her Majesty's Government are sympathetic to the suffering and needs of Kurdish refugees in Turkey, especially as winter approaches. The Turkish Government have now authorised the Turkish Red Crescent Society, which has a proven record of organising emergency relief work, to act as coordinator and take a continuing role in the care of these refugees. I have agreed therefore to make a contribution of £250,000 to the Turkish Red Crescent to support this work.

Tropical Rain Forests

84. **Mr. Favell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what pressure he is bringing to bear either bilaterally or through international organisations to reverse the destruction of the world's tropical rain forests.

Mr. Chris Patten: It is more important to help developing countries to increase their capacity to look after their forests than to apply pressure. Her Majesty's Government play a leading role in both the International Tropical Timber Organisation and the tropical forestry action plan. Later this month we shall help to host a high level conference on stimulating international support for tropical forestry research.

"Send a Cow" Appeal

85. **Mr. Soames:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he supports the "Send a Cow" appeal; and if he will make a statement.

Mr. Chris Patten: Under the Overseas Development Administration's joint funding scheme I have agreed to support the "Send a Cow" project in Uganda with a grant of up to £47,500 over the next three years. The project will provide selected farmers in Uganda with in-calf heifers which, it is hoped, will produce enough milk for their domestic needs as well as creating surpluses which will generate income. In providing an experienced stockman from Britain, the project organisers have recognised the need for careful supervision in the early stages and the need to train local people in the skills of dairy breeding and management.

Bangladesh

86. **Mr. Bowis:** To ask the Secretary of State for Foreign and Commonwealth Affairs what emergency and other aid his Department provided for Bangladesh following the recent floods.

Mr. Chris Patten: We have committed £25 million in emergency relief and rehabilitation aid in response to the recent floods in Bangladesh. This includes 50,000 tonnes of food aid, £5 million through British and local voluntary agencies, and a commodity aid grant of £15 million to help meet rehabilitation requirements.

Malawi

87. **Mr. Wilshire:** To ask the Secretary of State for Foreign and Commonwealth Affairs what development assistance he is giving in support of Malawi's economic reform programme.

Mr. Chris Patten: So far we have pledged a total of £25 million to support the economic reform programme which the Malawi Government agreed with the International Monetary Fund last March.

Punjab (Flooding)

88. **Mr. Jacques Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance Her Majesty's Government are providing to help alleviate the effects of the recent flooding disaster in the Punjab; and what advice he will give to British residents wishing to give financial contributions towards rapid and effective disaster relief in that area.

Mr. Chris Patten: We have made limited cash donations to both India and Pakistan to provide immediate relief, and stand ready to help with rehabilitation. It is our general policy to respond to specific requests for disaster relief, and neither Government have made an international appeal for help.

The British Red Cross Society is happy to channel any suitable contributions for flood victims to the Indian Red Cross or Pakistan Red Crescent.

International Planned Parenthood Federation

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs how much funding he has provided for the International Planned Parenthood Federation in each of the past five years; and if he will make a statement.

Mr. Chris Patten: Since 1983 the British Government have made the following contributions to the International Planned Parenthood Federation:

	£ million
1983	2·7
1984	3·0
1985	4·5
1986	5·4
1987	6·3

So far this year we have given the federation £6·5 million and, subject to parliamentary approval, we shall give £6·75 million in 1989.

Our increasing support for the federation reflects our confidence in its work.

Saharawi Refugees

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been given by Her Majesty's Government to Saharawi refugees in the past years; and if he will make a statement.

Mr. Chris Patten: Her Majesty's Government have given no direct aid to refugees living in camps in western Algeria. They receive assistance from European Community funds and from multilateral aid agencies to which we contribute; British non-governmental organisations also have aid programmes for these refugees.

Debt (Paris Club Rescheduling)

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list the amounts country by country of the old aid loans that have been converted to grants made by the Overseas Development Administration to countries which are now eligible to benefit from the special Paris club rescheduling of official debt for the poorest most heavily indebted countries; and when the conversions of these loans to grants took place;

(2) if he will list country by country the amounts of official debt owed to the Overseas Development Administration by the poorest and most heavily indebted countries eligible for the special Paris Club rescheduling of official debt; and what is the total of such debt.

Mr. Chris Patten: There is no list as such of countries eligible for the special rescheduling terms agreed by the Paris Club following the Toronto summit in June. Decisions on eligibility are reached by consensus and on a case-by-case basis. The Paris Club has agreed that the criteria will be poverty, indebtedness, an agreed IMF adjustment programme and good track record in debt servicing.

The United Kingdom has cancelled most of the old aid loans made by the ODA to poor countries and all aid to poor countries is now on grant terms. The list of countries whose loans have been converted to grants is as follows:

	£ million
Sub-Saharan Africa	
Botswana (1979)	20·68
Ethiopia (1984)	2·57
Ghana (1985)	50·88
Kenya (1978)	68·88
Lesotho (1979)	0·40
Malawi (1979)	30·70
Mozambique (1983)	22·50
Senegal (1988)	1·07
Sierra Leone (1979)	10·41
Sudan (1979)	9·91
Tanzania (1979)	3·40
The Gambia (1979)	5·22
Uganda (1981)	16·45
EAC (1984)	2·45
Total sub-Saharan Africa (13 countries): *£245·52 million*	
Other Africa	
Egypt (1979)	17·80
Total Africa (14 countries): *£263·32 million*	
Asia and Pacific	
Afghanistan (1979)	0·98
Bangladesh (1979)	15·67
India[1] (1979)	564·16
Indonesia (1979)	39·85
Nepal (1979)	1·97
Pakistan (1979)	76·42
Sri Lanka (1979)	25·21
Western Samoa (1979)	0·20
Total Asia and Pacific (8 countries): *£724·46 million*	
Total (22 countries): £987·78 million	

Year granted shown in brackets.
[1] An equivalent amount of local cost aid was offered.

Details of official debts by all developing countries outstanding at the end of 1986 were given by my hon. Friend the Economic Secretary to the Treasury in his answer to the hon. Member for Eccles (Miss Lestor) on 18 April, at columns 328-30.

Overseas Aid

Mr. Yeo: To ask the Secretary of State for Foreign and Commonwealth Affairs how much he expects to spend on overseas aid in 1988-89.

Mr. Chris Patten: I am pleased to say that as a result of the agreed carry-over of aid programme underspending in 1987-88, almost entirely due to the exceptional underspending by the European Community of aid attributable to its programmes, the public expenditure provision for overseas aid in 1988-89, planned at £1,337 million, has been increased to £1,387 million. The increase will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure. Parliamentary approval of the resulting increase in voted provision will be sought in a Spring Supplementary Estimate. On present plans the aid programme will be fully spent.

WALES

School Meals

Mr. Battle: To ask the Secretary of State for Wales if he will publish a table showing the average price of a school meal in *(a)* primary and *(b)* secondary schools for each year since 1979 to 1988 in 1988 prices.

Mr. Wyn Roberts: The information is available only for fixed price meals and is shown in the following table:

Average price of a school meal[1]

(pence)

	Primary schools	*Secondary schools*
1979-80	56·0	56·0
1980-81	66·8	70·9
1981-82	60·4	71·7
1982-83	63·2	73·6
1983-84	66·6	72·7
[2]1984-85	70·5	71·5
1985-86	67·0	71·6
1986-87	69·9	76·0
1987-88	68·5	73·8

[1] At 1988-89 prices, using the GDP deflator.
[2] Based on a sample of schools.

Education Reform

Mr. Cartwright: To ask the Secretary of State for Wales if he will list all the consultation documents, draft statutory instruments, circulars and letters to chief education officers which have so far been issued by his Department as a direct result of the passing of the Education Reform Act 1988, together with those likely to be issued in the foreseeable future.

Mr. Wyn Roberts: Consultation documents, draft statutory instruments, circulars and letters to chief education officers and other interested bodies which have so far been issued by the Welsh Office as a direct result of the passing of the Education Reform Act 1988, and those likely to be issued in the foreseeable future, are as follows:

Issued to date

Circulars

Since the end of July the following circulars of advice have been issued to LEAs and other interests following the passing of the Education Reform Act:

Circular 36/88 Education Reform Act 1988: Local management of schools— 30 September 1988.

Circular 37/88 Education Reform Act 1988: Governance of maintained further and higher education colleges in Wales—20 September 1988.

Circular 38/88 Education Reform Act 1988: Local management of further and higher education institutions in Wales; planning and delegation schemes and articles of government—30 September 1988.

Circular 47/88 Admission of pupils to county and voluntary schools—11 November 1988.

Draft circulars

The following draft circulars have been issued for consultation to interested bodies including chief education officers. Final circulars will be issued on completion of the consultation.

Education Reform Act 1988: Charges for school activities —30 September 1988.

Education Reform Act 1988: Religious education and collective worship—26 October 1988.

Education Reform Act 1988: Draft circular on order under section 222 (modifications to employment law) —19 October 1988 (see also draft statutory instrument below).

Education Reform Act 1988: Draft guidance on the Government's proposals for grant maintained schools —6 July 1988.

Consultation documents

National curriculum: Mathematics for aged 5-16—16 August.

National curriculum: Science for ages 5-16—16 August. The national curriculum Welsh working group's interim report was published on 9 November and the group is consulting interested bodies about it.

Draft statutory instruments

The Education (Modification of Enactments relating to Employment) Order 1988—(19 October) (See draft circular above).

Letters to CEOs and other interested parties

Education Reform Act 1988: Transitional arrangements for grant maintained school applications—31 August 1988.

To be issued

Circulars

See note on draft circulars above.

Draft circulars

Education Reform Act 1988: Information requirements under section 22 of the Education Reform Act.

Education Reform Act 1988: Local arrangements for the consideration of complaints under section 23 of the Education Reform Act.

Education Reform Act 1988: The school curriculum and assessment.

Consultation documents

Education Reform Act 1988: Financial arrangements for grant maintained schools and draft finance regulations.

National Curriculum: Arrangements for temporary withdrawal of individual pupils. Consultation on the national curriculum English working group's primary report. Consultation on final reports of the national curriculum working groups on Welsh, secondary English and technology due in April 1989.

Draft statutory instruments

Higher Education Courses (Wales) Regulations.

Draft Orders under section 4(2)(a) and (b) on attainment targets and programmes of study for maths and science.

Clwyd Health Authority

Mr. Martyn Jones: To ask the Secretary of State for Wales how much information technology development grant has been awarded to Clwyd health authority; and how this has been used.

Mr. Ian Grist: Clwyd health authority benefits from the centrally financed Welsh Health Common Services Authority bureau services. These primarily support financial, supplies and child health systems. No separate centrally funded computer systems have recently been provided, and there is no IT direct grant system administered by the Department.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Wales what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Peter Walker: Our policy is that Welsh Office vehicles should run on lead-free petrol as soon as it is practical.

Pollution

Mr. Morgan: To ask the Secretary of State for Wales what evidence he has of porpoises, dolphins or seals being contaminated by PCB's, other persistent organics and other substances on the ICES red list in Welsh coastal waters.

Mr. Grist: We have no evidence linking the health of sea mammals with those pollutants in Welsh coastal waters.

Drug Addicts (Needles)

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* a list of those centres which operate needle exchange schemes for drug addicts.

Mr. Grist: The Department has no such list. We are aware that some district health authorities in Wales are preparing proposals for needle exchange schemes in the light of guidance issued on 9 September 1988 in DGM(88)81.

Labour Statistics

Mr. Martyn Jones: To ask the Secretary of State for Wales what figures he has for the number of young people unemployed in the Vale of Clwyd and Wrexham, up to the age of *(a)* 20 and *(b)* 25 years.

Mr. Peter Walker: In July 1988, the latest available date, there were 4,709 persons under 25 unemployed in the travel-to-work areas of Denbigh, Wrexham and Shotton, Flint and Rhyl. Of these 1,907 were under the age of 20.

Bathing Waters

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* the timetable of Welsh water authority improvements which will enable all the bathing waters in Wales within the scope of the EEC bathing waters directive to be up to EEC standards by 1995.

Mr. Ian Grist: I remind the hon. Gentleman that my right hon. Friend the Secretary of State for the Environment recently stated that we had asked the water authorities to assess whether their programmes could be accelerated. We are considering their responses, but the programmes are a matter for the individual water authorities.

Ministerial Visits

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* the date of proposed overseas visits which he and his Ministers are planning.

Mr. Peter Walker: I hope to make an official visit to the United States from 30 January to 3 February 1989. I am considering a number of other possible overseas visits by Welsh Office Ministers during 1989 including visits to a number of European Community countries, the middle east, Korea and Japan.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* for each of the past five years the periods that Ministers in his Department spent on official overseas visits; and if he will specify the countries visited.

Mr. Peter Walker: Welsh Office Ministers have made the following official overseas visits in the last five years:

Date	Welsh Office Ministers	Country
1983		
26 to 30 July	Parliamentary Under-Secretary of State	Eire
10 to 21 September	Secretary of State	United States of America
1984		
1 to 17 October	Secretary of State	Japan and South Korea
29 November to 5 December	Secretary of State	United States of America
1985		
25 May to 2 June	Secretary of State	Finland
28 to 31 May	Parliamentary Under-Secretary of State	West Germany
27 August to 7 September	Secretary of State	United States of America
1986		
7 to 20 March	Secretary of State	Japan and South Korea
25 to 29 May	Parliamentary Under-Secretary of State	West Germany
18 to 30 September	Secretary of State	United States of America
1987		
29 August to 9 September	Minister of State	United States of America
27 September to 2 October	Minister of State	West Germany
14 to 20 November	Secretary of State	Japan
1988		
28 June to 4 July	Secretary of State	West Germany and USSR
27 September to 15 October	Minister of State	Hong Kong, Japan and United States of America
3 to 7 October	Parliamentary Under-Secretary of State	Sweden

Sport and Leisure

Mr. Gwilym Jones: To ask the Secretary of State for Wales when he intends to begin consultation on the terms of the order which will bring the management of local authority sport and leisure facilities within the competition tendering regime provided for in the Local Government Act 1988.

Mr. Grist: A draft order has today been sent to Welsh local authorities and local authority associations, sports organisations and other interested bodies for comment. Copies have also been placed in the Library of the House. Consultees are asked to respond by 13 January.

ATTORNEY-GENERAL

National Security

66. **Mr. Adley:** To ask the Attorney-General what are his criteria for seeking to prevent publication of matters relating to national security; and if he will make a statement.

The Attorney-General: The Government's responsibility for the security of the United Kingdom requires them to take all measures open to them to prevent disclosures damaging to national security.

Frederick Andrews

Mr. Beggs: To ask the Attorney-General to what extent the increase in valuation from £110,000 to £150,000 for properties at Smithfield square and Francis street, Belfast owned by Frederick Andrews was a result of judicial direction requiring revaluation.

The Attorney-General: No judicial direction was given in the case of Mr. Frederick Andrews, a patient, in regard to the revaluation of his properties at Smithfield and Francis street, Belfast, prior to their sale.

Mr. Beggs: To ask the Attorney-General (1) when the sum of £150,000 was paid into Frederick Andrew's bank account;

(2) if Frederick Andrews or his guardian has received any annuity from *(a)* his estate in general and *(b)* the £150,000 related to Smithfield square and Francis street properties in Belfast;

(3) if he will take steps to arrange for the Official Solicitor or the Master of the Office of Care and Protection (NI) to make available to the relatives of Frederick Andrews, 1978 No. 516, statements of accounts, income tax returns and details of all movements of moneys and properties inherited by Frederick Andrews since the death of his father.

The Attorney-General: I refer the hon. Member to my earlier replies to him about this case on 25 February 1988, at columns *257-59*.

Land Registry

Mr. Heddle: To ask the Attorney-General if he will indicate what improvement the measures he announced in his reply to the Adjournment debate initiated by the hon. Member for Mid-Staffordshire on 30 November 1987 have brought about to delays in the work of Her Majesty's Land Registry.

The Attorney-General: Conveyancing activity continued in 1988 at record levels. By increasing output urgent business had been contained throughout England and Wales, but completion times for substantive applications have not yet improved. However, the measures now in

place (including the recruitment and training since April 1988 of over 2,000 additional staff, new work initiatives to improve productivity and the opening of four further offices) are expected to lead to a steady improvement over the next few months.

Nottingham Land Registry

Mr. Alexander: To ask the Attorney-General what was the net return to Nottingham district land registry after payment of administration costs in each year from 1980 to date.

The Attorney-General: Since not all the Land Registry's costs are allocated to its local offices, details of net returns, after deducting administrative costs, are available only for the Department as a whole.

Mr. Alexander: To ask the Attorney-General what was the average time taken to effect first registration of title and subsequent dealings by Nottingham district land registry in each year from 1980 to date.

The Attorney-General: The average completion times from 1980 to the end of September 1988 calculated in weeks are as follows:

	First registrations	*Dispositionary first leases and transfers of part of the land in a title*	*Dealings with whole of the land in a title*
1980	14	12	4
1981	16	12	7
1982	9	6	2
1983	9	12	3
1984	14	20	3
1985	16	13	3
1986	24	19	6
1987	40	35	6
1988	48	40	6

Mr. Alexander: To ask the Attorney-General how many employees were on the staff of Nottingham district land registry in each year from 1980 to date.

The Attorney-General: The total numbers of staff employed at the Nottingham district land registry on 1 October of each year 1980 to 1988 are as follows:

	Permanent	*Casual*	*Total*
1980	635·0	0·0	635·0
1981	573·0	13·0	586·0
1982	582·0	36·0	618·0
1983	643·5	27·5	671·0
1984	637·5	24·0	661·5
1985	650·0	14·0	664·0
1986	687·0	15·0	702·0
1987	713·0	39·0	752·0
1988	800·0	15·0	815·0

Parliamentary Election (Kensington)

Mr. Wigley: To ask the Attorney-General what steps the Director of Public Prosecutions proposes to take following the ruling in the Queen's Bench Divisional Court in the matter of the Representation of the People Act 1983 and of the parliamentary election for the constituency of Kensington held on 14 July 1988, Hobson *v.* Fishburn before Lord Justice Lloyd and Mr. Justice Nolan on 28 October 1988; and if he will make a statement.

The Attorney-General: The Director of Public Prosecutions has asked the Metropolitan police to carry out inquiries.

EDUCATION AND SCIENCE

Science (Funding)

Sir Trevor Skeet: To ask the Secretary of State for Education and Science how much of the additional sums allocated recently for British science is to be spent defraying charges and subscription to meet the international obligations of the United Kingdom.

Mr. Jackson: My right hon. Friend will announce his decisions on the overall allocation of the additional funding for science, announced on 1 November, at columns 605-6, after he has considered the advice of the Advisory Board for the Research Councils. In the particular case of the high energy particle physics laboratory at CERN, I refer my right hon. Friend to my right hon. Friend's reply of 9 November to my hon. Friend the Member for Pembroke (Mr. Bennett), at column 195.

Lecturers (Pay)

Mr. Galbraith: To ask the Secretary of State for Education and Science what plans he has to normalise the pay structure between non-clinical and clinical lecturers working in the same university department; and if he will make a statement.

Mr. Jackson: There are no such plans. The work of clinical academic staff in universities is most closely comparable with that of doctors and dentists in NHS hospitals, hence the pay link. The same considerations do not apply to non-clinical staff at universities.

Mr. Galbraith: To ask the Secretary of State for Education and Science what information he has from the Universities Authorities Panel about the current year's wage increase for non-clinical lecturers.

Mr. Jackson: An increase was paid in March 1988 as the second stage of a settlement agreed in 1987. No information has yet been received from the UAP relating to salary levels in future years.

Universities Superannuation Scheme

Mr. Galbraith: To ask the Secretary of State for Education and Science why the universities superannuation scheme is no longer transferable to the National Union of Students superannuation scheme; and if he will make a statement.

Mr. Jackson: I understand that accrued pension benefits in the universities superannuation scheme can be transferred to the National Union of Students superannuation scheme where a member of USS leaves employment which is pensionable under that scheme and becomes subject to the National Union of Students scheme.

Territorial Army

Mr. Cartwright: To ask the Secretary of State for Education and Science what information his Department

has collected on local education authorities policies towards allowing *(a)* teachers and *(b)* other employees who are members of the Territorial Army time off work for Territorial Army duties.

Mrs. Rumbold: None.

Mr. Cartwright: To ask the Secretary of State for Education and Science whether he has issued any guidance to local education authorities about allowing *(a)* teachers and *(b)* other employees who are members of the Territorial Army time off work for Territorial Army duties; and if he will make a statement.

Mrs. Rumbold: The Department has not issued guidance to LEAs about allowing staff time off to undertake Territorial Army activities. As with other matters concerning special arrangements for paid and unpaid leave for LEA employees this is a matter for the employing LEA taking account of any locally negotiated agreements.

Students (Loans)

Mr. Andrew F. Bennett: To ask the Secretary of State for Education and Science at what level of *(a)* annual, *(b)* monthly and *(c)* weekly income (i) gross and (ii) net of tax and national insurance, graduates will begin to repay loans taken out as outlined in the White Paper on top-up loans for students (Cm.520).

Mr. Jackson: The White Paper, "Top-up Loans for Students" (Cm. 520) proposes that repayments should be responsive to income, and sets out various possible repayment regimes. The threshold at which repayments begin will depend on the repayment regime that is adopted in the light of further consultation and on the prevailing level of earnings at the time.

Freedom of Speech

Mr. Harry Greenway: To ask the Secretary of State for Education and Science if he is satisfied with measures taken by the university authorities to preserve freedom of speech at Leicester and other universities; and if he will make a statement.

Mr. Jackson: We shall want to cover this in the course of the review of s43 of the Education (No.2) Act 1986 to which I referred in my reply to my hon. Friend on 31 October, at Column 467.

City Technology Colleges

Mr. Allen: To ask the Secretary of State for Education and Science if he will meet representatives of Nottingham city council to discuss the future of the city technology college in Nottingham.

Mrs. Rumbold: The Nottingham CTC will open as planned in September 1989. The trustees and the project staff would welcome positive discussions with the city council and if a meeting with officials or Ministers would materially assist, we should be happy to consider making the necessary arrangements.

Mr. Madden: To ask the Secretary of State for Education and Science what deadline has been set for companies wishing to sponsor Dixons' city technology college in Bradford to indicate their financial commitment.

Mrs. Rumbold: None.

Mr. Madden: To ask the Secretary of State for Education and Science (1) to what agreements staff teaching at Dixons' technology college in Bradford will be subject;

(2) whether bona fide trade unions will be recognised by management for negotiating purposes at Bradford city technology college.

Mrs. Rumbold: These will be matters for the governors of the CTC to consider in due course.

Mr. Madden: To ask the Secretary of State for Education and Science whether parents of children attending Dixons' city technology college in Bradford will be required to pay fees towards their child's education or charges for particular classes or activities.

Mrs. Rumbold: No fees will be charged for admission to a CTC or in respect of education provided at the school, subject to the exceptions laid down in funding agreements between my right hon. Friend and the sponsors. Such exceptions will be in line with the charging provisions in section 106 of the Education Reform Act 1988.

Mr. Madden: To ask the Secretary of State for Education and Science on what dates he or his ministerial colleagues have met Richard Kalms, chairman of the Dixons Group plc, Edward Simpson, city technology college consultant to Dixons, and Councillor Eric Pickles, leader of Bradford metropolitan council, to discuss the establishment of a city technology college by Dixons.

Mr. Cryer: To ask the Secretary of State for Education and Science when he last met Mr. Stanley Kalms; what subjects were discussed; and if he will make a statement.

Mrs. Rumbold: Neither my right hon. Friend nor any of his ministerial colleagues have met Mr. Stanley Kalms, the chairman of Dixons plc, or Mr. Richard Kalms, Edward Simpson or Councillor Pickles to discuss the establishment of the Bradford CTC.

Mr. Madden: To ask the Secretary of State for Education and Science how many people will constitute the governing body at Dixons' city technology college in Bradford; if parents, staff and pupils will have rights to elect governors; and if he will specify the rights of governors.

Mrs. Rumbold: The CTC in Bradford has not yet adopted a scheme of government. The model scheme of government recommended by the Department provides that the governing body of a city technology college shall consist of not fewer than nine and not more than 20 members. Not fewer than four co-opted members will be appointed to represent the interests of teachers, the parents of pupils at the college and the community. The powers and responsibilities of the governors are set out in the scheme of government.

Mr. Madden: To ask the Secretary of State for Education and Science what rights of apppeal parents will have whose children are refused a place at Dixons' city technology college in Bradford.

Mrs. Rumbold: CTCs are independent schools and parents will have no right of appeal.

Mr. Madden: To ask the Secretary of State for Education and Science if Dixons' city technology college in Bradford will be co-educational; how children attending the college will be selected; and if pupils attending the college will be eligible for the assisted places scheme.

Mrs. Rumbold: The city technology college in Bradford will be co-educational. The pupils will be selected on the basis that they are likely to benefit from the type of education that the CTC will offer and that they and their parents have a commitment to full time education or training beyond the age of 16. The pupil intake will be expected to cover the full range of abilities among pupils in the catchment area and to be representative of the local community. Because education at the CTC will be free of charge, the assisted places scheme is not relevant.

Mr. Madden: To ask the Secretary of State for Education and Science (1) how much land will be required in total to meet the requirements of Dixons' city technology college, including play and sports areas;

(2) what is the latest total estimate of the amount of public funds necessary to establish the Dixons' city technology college; and what is the latest total estimate of private investment available to establish this city technology college.

Mr. Fatchett: To ask the Secretary of State for Education and Science how much his Department is contributing *(a)* in 1988-98 and *(b)* in 1989-90 towards the capital cost of establishing a city technology college in Bradford; and what is his estimate of the eventual total capital cost of establishing that city technology college.

Mr. Cryer: To ask the Secretary of State for Education and Science what is the estimated capital cost to his Department of the construction of the city technology college in Bradford; what is the estimated annual revenue cost contribution to the running of the college; and if he will make a statement.

Mrs. Rumold: The Department is currently undertaking a feasibility and cost study for a Bradford CTC. It would be premature to release any figures on either captial or recurrent costs or land requirements before that study is complete.

Mr. Madden: To ask the Secretary of State for Education and Science whether the establishment of Dixon's city technology college in Bradford will cause the closure of any maintained secondary schools in Bradford.

Mrs. Rumbold: The establishment of a CTC should not cause any closures of other secondary schools since secondary student rolls in Bradford are buoyant.

Mr. Madden: To ask the Secretary of State for Education and Science if he will name the local firms, which, to date, have agreed to join Dixons plc in sponsoring the Dixons' city technology college in Bradford.

Mrs. Rumbold: It is for the sponsors to decide when and if they wish the details of their sponsorship to become public.

Mr. Madden: To ask the Secretary of State for Education and Science whether his Department approved the terms of a press release, issued by Dixons Group plc, embargoed until 02.00 on Tuesday 8 November concerning Bradford city technology college prior to this press release being issued to the media.

Mrs. Rumbold: Yes.

Mr. Cryer: To ask the Secretary of State for Education and Science (1) what consultations were held with teaching unions over the decision to establish a city technology college in Bradford by his Department;

(2) if he has had discussions with any teacher trade unions and Bradford local authority councillors or officers regarding the impact on the local authority schools which the establishment of a city technology college is likely to have; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend has had no discussions with the teaching unions or with the local authority. Bradford has a buoyant secondary school population and the impact of a CTC on enrolment at neighbouring schools is not likely to be significant. We expect that it will have a substantial beneficial effect upon secondary education generally in Bradford.

Mr. Madden: To ask the Secretary of State for Education and Science in how many places the Dixons Group plc has expressed interest in investing privately in the establishment of a city technology college.

Mrs. Rumbold: Dixons has given careful consideration to a number of locations, mainly in Yorkshire, but also elsewhere in the north of England.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Education and Science what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mrs. Rumbold: Where it purchases new vehicles, the Department's policy is to ensure they have the capacity to run on unleaded petrol. Modification of older vehicles will be undertaken at their next scheduled service.

Departmental Documents

Mr. Ashley: To ask the Secretary of State for Education and Science if he will list all the draft circulars, discussion papers and other documents for consultation which his Department has issued since 1 August, together with the dates by which comments have been requested in each case; and if he will also list the consultation documents which he envisages the Department will issue in the next six months.

Mrs. Rumbold: I refer the right hon. Member to the reply which I gave on 1 November to the hon, Member for Woolwich (Mr. Cartwright), at columns *602-3*.

Higher Education

Mr. Win Griffiths: To ask the Secretary of State for Education and Science if he has any plans to introduce a tax on graduates for students who have completed higher education courses.

Mr. Jackson: My right hon. Friend announced on 9 November the Government's proposals for the financing of student maintenance in the future. They provide for loans to top up grant, not for a tax on graduates.

Mr. Win Griffiths: To ask the Secretary of State for Education and Science if he has any plans to introduce a voucher system in higher education.

Mr. Jackson: I refer the hon. Member to the answer I gave to the hon. Member for Denton and Reddish (Mr. Bennett) on 3 November, at column 742.

Mr. Win Griffiths: To ask the Secretary of State for Education and Science if he will tabulate the percentage of students from each socio-economic group who entered *(a)* university, *(b)* polytechnics, *(c)* institutes of higher education and *(d)* teachers' training colleges in each year since 1958.

Mr. Jackson: The following data are readily available.

Students in higher education: percentage by social class

Social Class	*All students in full-time Higher Education 1962*[1]	*Young entrants to full-time Higher Education in 1985*[2]			
		Universities	*Polytechnics*	*Colleges*	*All Higher Education*
Profesional	15	21	12	12	17
Intermediate	39	47	47	46	47
Non-manual	14	14	15	13	14
Skilled-manual	24	12	14	16	13
Unskilled/semi-skilled	9	6	11	13	9
All	100	100	100	100	100

[1] From Appendix 2(b) Robbins (1963) tables 5, 81 and 102.
[2] From a sample survey of young people in England and Wales: 'Young people's intentions to enter higher education'.

Mr. Wray: To ask the Secretary of State for Education and Science (1) what information he has on figures for full-time and part-time students entering universities in *(a)* Belgium, *(b)* Canada, *(c)* Denmark, *(d)* the Federal Republic of Germany, *(e)* France, *(f)* Italy, *(g)* the Netherlands, *(h)* Norway, *(i)* Spain, *(j)* Sweden, *(k)* the United Kingdom and *(l)* the United States of America for each year since 1975;

(2) what information he has for each year since 1974 of the percentage of the population entering *(a)* full-time and *(b)* part-time education in universities in (1) Belgium, (2) Canada, (3) Denmark, (4) the Federal Republic of Germany, (5) France, (6) Italy, (7) the Netherlands, (8) Norway, (9) Spain, (10) Sweden, (11) the United Kingdom and (12) the United States of America.

Mr. Jackson: The readily available information is as follows:

Country[1] *(main ages on entry)*	*New entrants*[2] *to higher education thousands*	*(latest year)*	*Participation rate*[3] *(percentage) in latest year*	*in 1975*
Denmark (18-20)	30	(1985)	35	35
France (18-20)	282	(1985)	32	28
Germany, West (19-21)	272	(1985)	25	20
Italy (19-21)	246	(1986)	25	31
Netherlands (18-20)	78	(1985)	[4]38	[4]26 (1978)
Norway (n.a.)	28	(1983)	44	n.a.
Spain (18-20)	203	(1985)	31	31
United Kingdom[5] (18-21)	304	(1986)	32	30
United States of America[6] (18)	2,292	(1985)	61	60

[1] No information is available for Belgium, Canada and Sweden.
[2] Includes full-time and part-time students entering higher education for the first time i.e. excluding postgraduate students and others already having a qualification in higher education. Not all other countries may adhere to this general definition.
[3] To aid comparison and overcome the problem of the varying lengths of courses in different countries the participation rate used is the percentage of all new entrants (defined above) to a derived relevant single year group. The latter is calculated by taking the total populations for the ages providing at least 70 per cent. of the new entrants and dividing by the number of ages involved. For the United Kingdom this is the population of ages 18 to 21 divided by 4. OECD recommends this procedure.
[4] Change in coverage between these two years in the Netherlands.
[5] Exludes the private sector and students from abroad. Includes nursing and paramedical students at health department establishments.
[6] Includes private colleges.

Examination Results

Mr. Straw: To ask the Secretary of State for Education and Science what percentage of pupils in maintained schools obtained five or more GCE O levels in each year since 1970-71.

Mr. Kenneth Baker: The percentage of leavers from maintained schools who obtained five or more higher grades at O-level or CSE grade 1 in are as follows:

School Leavers—England[1]

	Percentage
1970-71	18·1
1971-72	17·7
1972-73	[2]28·6
1973-74	16·9
1974-75	[2]16·2
1975-76	16·2
1976-77	20·4
1977-78	20·5
1978-79	20·6
1979-80	20·9
1980-81	21·8
1981-82	23·0
1982-83	23·3
1983-84	23·8
1984-85	23·7
1985-86	23·6
1986-87	23·2

Note:
[1] The Statistics for 1972-73 are affected by the raising of the minimum school leaving age.

[2] Prior to 1974-75 O-level examinations were graded pass or fail, and the statistics exclude CSE grade 1.
[3] Prior to 1977-78, figures include information relating to schools in England and Wales.

Pupil Statistics

Mr. Straw: To ask the Secretary of State for Education and Science what percentage of pupils in maintained schools attended comprehensive schools in each year since 1970-71.

Mr. Kenneth Baker: The percentage of pupils in maintained secondary schools attending comprehensive schools in January of each year since 1971 in England was as follows:

Percentage of secondary school pupils attending comprehensive schools

January	*Per cent.*
1971	34
1972	39
1973	45
1974	56
1975	63
1976	69
1977	73
1978	77
1979	79
1980	81
1981	83
1982	83
1983	84
1984	84
1985	85
1986	85
1987	86
1988	86

Special Schools

Mr. Cryer: To ask the Secretary of State for Education and Science (1) how many inspections have been made at the Small school at Red House, Norwich; when the final inspection is due to be made; and if he will make a statement.

(2) whether approval has been sought under the Education Act 1981 by the Small school at Red House, Norwich;

(3) how many individual consents have been granted in each year since 1984 under the Education Act 1981 for pupils with statements of special education needs for admission to the Small school at Red House, Norwich; and if he will make a statement;

(4) how many schools are registered for the admission of one or more pupils with statements of special educational needs under the Education Act 1981; what is the minimum, average and maximum fee charged per week per pupil; and whether an entrance fee is charged.

Mr. Butcher: The Small school at Red House was provisionally registered as an independent school on 20 June 1986. Since then it has been visited twice by Her Majesty's inspectors of schools and a further visit has been arranged for the end of November when Her Majesty's inspectors will consider the school's eligibility for final registration and advise on the timing of an application for approval under the Education Act 1981. Four LEAs have applied for and been granted consents in respect of the placement of five pupils with emotional/behavioural problems at the school since 1986.

One hundred and thirty-five independent schools have so far been approved under sections 11(3)(a) and 13(2) of the Education Act 1981 as suitable for the admission of children with statements of special educational needs. The fees charged at such schools vary widely and are related to the type of disability and the degree of specialist provision required. The payment of fees is entirely a matter for local education authorities and social services departments.

Students (Grants)

Mr. Win Griffiths: To ask the Secretary of State for Education and Science if he will state in real terms the value of *(a)* the maximum and *(b)* the average student grant in (i) 1958, (ii) 1968 and (iii) 1988.

Mr. Jackson: The values, at September 1988 prices, of the standard maintenance grant for students studying outside London and living away from home and the average grant paid net of parental and other contributions are as follows:

	1958 £	*1968* £	*1988* £
Rate of grant	2,347	2,425	2,050
Average grant paid	n/a	1,877	[1]1,195

[1] Estimated.
n/a—Not available.

The rates of grant shown do not include additional allowances to which students may be entitled, although such allowances are reflected in the average grant paid. The current mandatory awards arrangements were introduced in 1962. The 1958 figure is based on the rate of Department of Education state scholarships applicable to students in college or hall accommodation at universities other than London, Oxford and Cambridge. Figures for 1958 and 1968 have been adjusted to take account of subsequent changes in the arrangements for assisting with travel expenses.

Education Records (Access)

Mr. Kirkwood: To ask the Secretary of State for Education and Science whether the regulations which he intends to make providing a right of access by parents and older pupils to education records will include the records maintained on pupils by the education welfare service of local education authorities.

Mr. Butcher: Our consultation paper proposed that the regulations should not allow access to documents in the pupil record which had been recorded by outside bodies, and suggested that reports by education welfare officers would fall within that category. We shall be announcing our proposals for these regulations shortly.

FOREIGN AND COMMONWEALTH AFFAIRS

Kagisgo Trust

Sir Ian Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government have taken to ensure that the funding of the Kagiso Trust by the European Community conforms fully with the spirit and letter of article 935 of the European Community's special programme which expressly prohibits support for political organisations.

Mrs. Chalker: Member states are consulted by the European Commission before decisions are taken on the allocation of funds from line 953 of the EC budget for the EC's special programme of assistance for victims of apartheid. The programme is being implemented in accordance with the established criteria.

Soviet Prisoner of Conscience

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will draw the attention of his Soviet counterpart to the Soviet prisoners of conscience listed in early-day motions 1415 and 1416.

Mr. Waldegrave: We regularly make representations to the Soviet authorities on behalf of prisoners of conscience. To maximise the impact of these representations, we have concentrated on those cases which have caused most concern to British public opinion and where the details have been made available to us. Of those listed in the early-day motions whose cases we have raised, two, Vladimir Rusak and Sigitas Tomekvicius have been released. We shall continue to press for the release of the others.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Waldegrave: Official vehicles in the United Kingdom that can be converted to unleaded fuel will be so modified by the next scheduled service. Similar instructions are being issued to overseas posts.

Replacement vehicles at home and overseas will, whenever possible, be capable of running on unleaded petrol. I am happy to say that my own official car uses unleaded petrol.

Saharawi People

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards self-determination for the Saharawi people; and if he will make a statement.

Mr. Waldegrave: We recognise neither Moroccan nor Polisario claims to the western Sahara. We support the mediation efforts of the United Nations Secretary General and welcome the acceptance in principle by both sides of his referendum proposals.

Morocco

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the present relations of Her Majesty's Government with Morocco.

Mr. Waldegrave: Relations are excellent; we continue to build on the success of King Hassan's state visit of July 1987.

Oscar Mpetha

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government has made to the South African Government for the release of Oscar Mpetha; and if he will make a statement.

Mr. Waldegrave: We have made representations to the South African Government on behalf of Mr. Mpetha on at least five occasions, most recently on 5 September. We shall continue to press the South African Government to release Mr. Mpetha on humanitarian grounds.

Iraq

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government propose to take to assist the Kurds in Iraq.

Mr. Waldegrave: We have consistently urged the Iraqi authorities to respect the human rights of its Kurdish minority. We have made our concerns clear about the ill-treatment of the Kurds, both in the past and as the result of recent Iraqi military operations. We condemned the use of chemical weapons against the Kurds at Halabja in March. In August my right hon. and learned Friend the Secretary of State responded to compelling indications of further Iraq use of chemical weapons by urging the Iraqi Minister of State for Foreign and Commonwealth Affairs that his Government should accept a United Nations investigative mission. We have also provided £¼ million in humanitarian aid to the Turkish Red Crescent Society for the benefit of Kurdish refugees from Iraq in Turkey.

AGRICULTURE, FISHERIES AND FOOD

Toxic Sewage Sludge

Ms. Walley: To ask the Minister of Agriculture, Fisheries and Food when he will publish the explanatory statements by two water authorities outlining the reasons behind the choice of the sea disposal option for toxic sewage sludge and the implications of changing to other outlets.

Mr. Donald Thompson: The scientific evidence is that sewage sludge dumped in the sea under Ministry controls is not toxic; its constituents are well within limits set by the international dumping conventions to ensure that no harm to the marine environment can be caused by their presence.

The explanatory statements by two water authorities outlining the reasons for their choice of the sea disposal option in recent years will be published in the first annual report on disposal of waste at sea which is in preparation. I expect the report to be published early next year.

It is important to keep the practicability of disposal options on land under review. I am therefore now asking all water authorities to make a reassessment of their disposal options for sewage sludge which currently goes to sea, including incineration, landfill and spreading on agricultural land.

Food Prices

Mr. Ralph Howell: To ask the Minister of Agriculture, Fisheries and Food what information he has as to the percentage of the price of food which has gone to *(a)* the producer and *(b)* the processor, wholesaler and retailer in each year since 1973.

Mr. Ryder: Broad estimates of the proportion of the value of food at retail in the United Kingdom which goes to producers and to processors, wholesalers and retailers are as follows:

	Producers[1]	*Processors*[2], *wholesalers and retailers*
1973	51·9	48·1
1974	52·6	47·4
1975	49·9	50·1
1976	52·2	47·8
1977	52·5	47·5
1978	49·2	50·8
1979	49·0	51·0
1980	43·9	56·1
1981	44·0	56·0
1982	45·8	54·2
1983	44·1	55·9
1984	46·6	53·4
1985	44·1	55·9
1986	42·0	58·0
1987	40·5	59·5

[1] The producers' share is derived from estimates of agricultural products produced in the United Kingdom for home consumption valued at farmgate prices and imported food valued at shipside prices.

[2] The share of processors, wholesalers and retailers is derived from estimates of household expenditure on food at retail plus the estimates of the wholesale value of food used in the catering sector. The retail price of food is valued less taxes but including subsidies.

Note:

More detailed figures are given in CSO's "Annual Abstract of Statistics", 1988 edition, table 9.16.

Set-aside Scheme

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food if he will tabulate the sums payable in sterling equivalent per hectare for land set aside in each of the member states of the European Community.

Mr. MacGregor: The European Commission has provided comparative information on rates of payment in terms of ecus for the permanent fallow option of set-aside. The rates expressed in sterling are:

Member State	*Rate(s) per hectare per year*
Belgium	£123, £166, £210 and £304 depending on region
Denmark	No information yet available
Federal Republic of Germany	£226-£451 depending on soil quality of the farm
Greece	£53-£105 depending on crop and region
Spain	£75, £90, £127 and £202 depending on region
France	£83-£241 depending on region and proportion of farm set aside
Republic of Ireland	£157
Italy	£251, £264, £290 and £363 depending on region
Luxembourg	£159
Netherlands	£449
Portugal	Not yet obliged to implement set-aside
United Kingdom	£180 (less favoured areas) and £200 (other areas).

Note: Rates in ecus converted into national currencies at the 1988 green rates applying to set-aside and then into sterling at the 8 November 1988 spot rates.

Sea Level

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food whether, pursuant to the answer to the hon. Member for Brentwood and Ongar (Mr. McCrindle) of 25 October, he will indicate those parliamentary constituencies likely to be wholly or partially under water by the year 2050 assuming a rise in sea level of *(a)* 0·2 m or *(b)* 1·65 m over the period.

Mr. Ryder: The figures quoted represent the extremes of estimates based on presently available models. There are still uncertainites, so it is not realistic to draw firm conclusions now with regard to the degree of risk to particular areas.

The tide gauge network provides a measure of actual changes in mean sea level which informs decisions on current design standards for flood defences. This information, together with the results of other research, will continue to be closely monitored. As firmer predictions become available we shall be better placed to consider the implications for flood defences, and examine further protective measures that can be undertaken.

Our policies take account of all relevant developments and this is reflected in our recent anouncement of an increase of more than £25 million a year in Government funding for an enhanced long-term programme of flood protection.

Equestrian Employees

Mr. Strang: To ask the Minister of Agriculture, Fisheries and Food whether he will include equestrian employees under the Agricultural Wages Board order.

Mr. Ryder: The content of the wages order is entirely a matter for the Agricultural Wages Board to decide within the constraints of the Agricultural Wages Act 1948. The order is restricted to workers employed in agriculture as defined under the Agricultural Wages Act 1948. I have no plans at present to amend the Act to include equestrian workers in its scope.

Common Agricultural Policy

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food how many claims have been made, in each month of 1988, under the common agricultural policy export refund consignment schedule; how many claims for each month of 1988 are yet to be processed; how much money is yet to be refunded for each month of 1988; and when he expects refund payments to be made.

Mr. Donald Thompson: Information in the form requested is not available except at excessive cost. By 30 September some 540,000 transactions with a value of £440 million had been processed and more than 70 per cent. of claims by value are now being paid within a reasonable time scale. The intervention board continues to do everything possible to restore the position of all claims. Under a scheme announced in the House on 28 July 1988, traders will be paid compensation on all claims where this year's payments had been unreasonably delayed.

Unleaded Petrol

Sir Philip Goodhart: To ask the Minister of Agriculture, Fisheries and Food what instructions he has given for the modification of cars used by his Department in England and Wales so that they can use unleaded petrol.

Mr. Donald Thompson: I am currently considering instructions to the effect that, as soon as unleaded petrol

is readily available in areas where Ministry cars are used, all vehicles which are capable of modification should be so modified at the next scheduled servicing, and that, wherever possible newly purchased vehicles should be capable of running on unleaded petrol.

Cheese

Sir John Farr: To ask the Minister of Agriculture, Fisheries and Food what information he has as to the availability of *(a)* Stilton cheese and *(b)* foreign cheeses.

Mr. Donald Thompson: During 1987 approximately 8,300 tonnes of Stilton cheese were produced. In the same period some 162,000 tonnes of cheese were imported into the United Kingdom.

Fisheries Policy

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what scientific data his Department has in regard to fishing stocks in area 7; and what scientific research is currently being undertaken.

Mr. Donald Thompson: My scientists carry out continuous assessment of fish stocks in area VII, collecting information from commercial fishermen and from the research vessel programme. My Department has full access to the scientific information available to the International Council for the Exploration of the Sea's advisory committee on fishery management (ACFM) and the Community's scientific and technical committee for fisheries. ACFM reports cover all the major fish stocks in area VII.

My scientists are undertaking research to improve the quality of the assessments on which the Council of Fisheries Ministers bases its decisions. Scientists from other member states are also carrying out research, which is fed into the information available to ACFM.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the Government's policy on the present six to 12-mile United Kingdom fishing limits after 1992; and whether his Department has received any representations.

Mr. Donald Thompson: There is to be a mid-term review of the common fisheries policy by 1992. The Government are wholly committed to the structure of the common fisheries policy, including restricting access to the 12-mile belt. I have received no formal representations about these access provisions.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food whether his Department has investigated the possibility of extending fishing licences to boats under 10m; and if he will make a statement.

Mr. Donald Thompson: Extension of licensing of vessels of 10m and under in registered length would pose considerable control and enforcement problems and would involve increased expenditure. At the same time, I recognise the problems such vessels cause. Particularly in the light of the comments which we have received following our July consultation exercise on licensing arrangements generally, I shall once more be reviewing the possibilities.

HOME DEPARTMENT

Acid House Cult

Mrs. Gillian Shephard: To ask the Secretary of State for the Home Department if his Department is proposing to take any action against the spread of the acid house cult; and if he will make a statement.

Mr. Douglas Hogg: I assume that my hon. Friend's particular concern is with misuse of certain drugs—notably MDMA, also known as ecstasy, and LSD—said to be associated with the acid house craze. The Government give the highest priority to tackling drug misuse, and have devised a balanced strategy which aims at reducing both the supply of, and demand for, drugs. Effective law enforcement action is a key element of the strategy, and hon. Members will have noted the operations against acid house parties undertaken by several police forces in the home counties during the weekend of 5 and 6 November.

HIV Screening

Mr. Butler: To ask the Secretary of State for the Home Department if he will now seek to encourage voluntary HIV screening for prisoners on reception.

Mr. Douglas Hogg: There are no plans to introduce routine blood tests on voluntary basis, but a test is arranged, after counselling, for any prisioner who requests one or who consents to a test where it is clinically recommended by the medical officer. Screening of all prisoners on first reception continues in the form of medical inquiry and examination.

Prison Transfers

Mr. Cox: To ask the Secretary of State for the Home Department what plans his Department has to standardise the list of personal possessions prison inmates may be allowed to take with them when they are moved from prison to prison in the United Kingdom; and if he will make a statement.

Mr. Douglas Hogg: Standing Order No. 4, a copy of which is in the Library of the House, describes the range of privileges available to inmates and the conditions under which they may be granted. The question whether greater standardisation is desirable is being considered as part of the Department's examination of Her Majesty's chief inspector of prison's report of his review of prisoners' complaints.

Prisoners (Pay)

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department when he will announce the terms of reference for his review of prisoners' pay; and if he will make a statement.

Mr. Douglas Hogg: We are considering the form and scope of the review of prisoners' pay and a further statement will be made when this work has been completed.

Correspondence

Mr. Allen: To ask the Secretary of State for the Home Department when he expects to reply to the letter from

Nottinghamshire county council to the Minister of State dated 24 June requesting a meeting to discuss the hold-up in processing a number of applications under section 11 of the Local Government Act 1966.

Mr. John Patten: I have now replied to Nottinghamshire county council notifying it of the outcome of the applications.

Prisoners (Statistics)

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of people in prison in England and Wales on 31 October for the non-payment of fines.

Mr. Douglas Hogg: The information requested is not yet available. On 30 September 1988 about 420 fine defaulters were held in prison service establishments in England and Wales.

Mental Defect (Criminal Cases)

Mr. Lawrence: To ask the Secretary of State for the Home Department whether he will initiate a review of the law relating to offences arising from mental defect in criminal cases.

Mr. John Patten: I understand that my hon. and learned Friend has in mind a review of the Criminal Procedure (Insanity) Act 1964. I am giving some thought to the operation of this Act, about which the Butler committee made certain recommendations in 1975, but I cannot at present say when there may be an opportunity for amending legislation.

"Let's Take a Trip"

Mr. Heddle: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the West Midlands police as to whether he intends to take action under the Obscene Publications Act to seek to prevent the public release, broadcast or playing of a recording entitled, "Let's take a trip", by a group known as Children of the Night, on the grounds that it is likely to corrupt or deprave young persons by extolling the hallucinatory properties of the drug ecstasy.

Mr. Douglas Hogg: No. This is a matter for the chief officer of police.

Remand Centres

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department if his Department is in negotiation with private companies for the management and staffing of remand centres.

Mr. Douglas Hogg: No. Such negotiation would be premature until we have received and considered responses to the Green Paper "Private Sector Involvement in the Remand System" (July 1988 Cm. 434), and the report of the management consultants who have been engaged to study the practical aspects of the options set out in the Green Paper.

Special Constables

Mr. French: To ask the Secretary of State for the Home Department if he has any plans to introduce remuneration for special constables; and if he will make a statement.

Mr. Douglas Hogg: The possibility of paying some form of remuneration or bounty has been considered on a number of occasions, most recently by the conference on the special constabulary last year. The view taken at that conference was again not in favour of a bounty, but that there was need to review the allowances paid to special constables to ensure that they are not out of pocket when performing duty. In consultation with the police advisory board, my Department is carrying out that review.

DNA Testing

Mr. Pike: To ask the Secretary of State for the Home Department (1) what is the current situation with regard to his Department's trials of DNA testing; and if he will make a statement;

(2) what is his Department's position regarding the status as evidence in immigration proceedings of positive DNA tests for applicants who applied for a DNA test before the age of 18, but who are now over the age of 18; and if he will make a statement.

Mr. Renton: I shall write to the hon. Member.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for the Home Department what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Douglas Hogg: Instructions are to be issued shortly for the conversion of London vehicles; vehicles elsewhere will be converted as the supply position improves. It is Home Office policy to purchase whenever possible vehicles that run, or can be converted to run, on unleaded petrol.

Computer Hackers

Mr. Menzies Campbell: To ask the Secretary of State for the Home Department what action he is taking to ensure the safety of his Department's computer from penetration by computer hackers.

Mr. Douglas Hogg: A number of measures are in place to protect my Department's computers from unauthorized access, which obviously it would not be sensible to make public. Hacking and other aspects of risk to IT systems are kept under review, and additional precautions will be taken if judged to be necessary.

Bus Lanes (Police Patrol)

Mr. Gale: To ask the Secretary of State for the Home Department how many uniformed police man-hours were spent patrolling bus lanes in inner London boroughs in each of the years 1984-85, 1985-86 and 1986-87; and if he will give the cost of this work.

Mr. Douglas Hogg: The information requested is not available.

Video Surveillance

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department (1) what evidence he has of the effectiveness of the use of video surveillance of the general public by the police; and what research is currently being carried out, or funded by, his Department in this area;

(2) how many police forces in England and Wales have set up video surveillance systems to watch the general public; and, of those who have not, how many plan to do so;

(3) what research is currently being conducted into the effectiveness of video surveillance of the general public by the police forces of England and Wales.

Mr. Douglas Hogg: Home Office advice to the police is that closed circuit television should be used only when necessary for the efficient conduct of police operations. The introduction of such surveillance systems is an operational matter for chief officers and there is no central record of their number. We have not conducted research into their effectiveness and have no plans to do so at present.

Fines

Mr. Grocott: To ask the Secretary of State for the Home Department what steps he has taken to assess whether convicted persons upon whom fines have been imposed are adequately apprised of their right to return to court to request changes in the terms of payment if their circumstances have altered.

Mr. John Patten: The notice of fine issued to persons on whom a fine is imposed tells them that an application for further time to pay may be made to the justices' clerk.

Mr. Grocott: To ask the Secretary of State for the Home Department whether his Department has completed any research into *(a)* the relationship between fines imposed upon offenders and their ability to pay and *(b)* the relationship between levels of default and offenders' incomes.

Mr. John Patten: A study in 1982 looked at inquiries by courts into the means of fine defaulters. Another study, published in 1983, looked at the relationship between fine default, unemployment and the imprisonment of defaulters. A project designed to help courts to relate fine levels more systematically to offenders' means began last month in Bradford and Basingstoke, and further schemes in Teesside and Swansea are expected to start in January. The project will run for six months with a further 12-month follow-up period.

Mr. Grocott: To ask the Secretary of State for the Home Department if the Minister is satisfied that the advice given by his Department in circular 13/1984 as to offenders' income and financial commitments is being universally and consistently followed by the courts in the imposition of fines.

Mr. John Patten: The advice contained in the Home Office circular 13/1984 remains appropriate. It is a matter for the courts under the law to decide what inquiry is appropriate in any individual case.

Mr. Grocott: To ask the Secretary of State for the Home Department (1) in the last year for which statistics are available, how many persons were committed to prison for non-payment of fines; and what was the average length of the sentence imposed;

(2) what proportion of those who have defaulted on the payment of fines in each of the last three years for which figures are available were unemployed.

Mr. Douglas Hogg: In 1987 about 18,700 persons were received into prison service establishments in England and Wales following committal in default of payment of a fine. The average period imposed in default was about three weeks. Information on receptions and periods imposed in default of payment is published annually in "Prison Statistics England and Wales" (Table 7·3 of the latest issue, for 1986, Cm. 210) copies of which are in the Library.

Information on the employment status of prisoners is not recorded centrally.

Prison Discharge Procedures

Mr. Grocott: To ask the Secretary of State for the Home Department what is the average cost per day, including the costs involved in admission and discharge procedures of periods of imprisonment lasting *(a)* five days, *(b)* seven days, *(c)* 14 days, *(d)* 30 days, *(e)* 45 days, *(f)* three months, *(g)* six months, *(h)* 12 months, *(i)* 18 months, *(j)* two years and *(k)* more than two years, respectively.

Mr. Douglas Hogg: The average cost of imprisonment per inmate per day for 1987-88 was £39·29. Although the significance of fixed costs, including the costs of the admission and discharge procedures, declines as the length of a term of imprisonment increases, information is not held in a form which enables average cost per day for sentences of different lengths to be calculated.

Elections (Exclusion)

Mr. Shersby: To ask the Secretary of State for the Home Department which Commonwealth countries or United Kingdom dependent territories do not permit United Kingdom citizens to register as electors and if he will take steps to amend the law so as to exclude citizens of those countries from voting in United Kingdom elections.

Mr. Douglas Hogg: The information requested in the first part of the question is not readily available and I shall write to my hon. Friend when it has been obtained. The answer to the second part of the question is that I have no plans to do so.

Firearms Amnesty (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for the Home Department what was the total number of firearms and knives handed into the South Yorkshire police during the recent amnesties; and if he will give a breakdown by the four local authorities.

Mr. Douglas Hogg: I understand from the chief constable of South Yorkshire that a total of 179 knives, three firearms and 52 other offensive weapons were surrendered in the knives campaign between 27 June and 11 July. A breakdown of these figures by local authority area has not been kept.

The number of firearms handed in during the September firearms amnesty, by local authority area, is as follows:

Town	*Firearms*
Doncaster	139
Barnsley	97
Rotherham	62
Sheffield	256

A total of 131 other weapons were also surrendered. More detailed information in respect of these is not readily available.

Hunting

Mr. Redmond: To ask the Secretary of State for the Home Department if he will introduce legislation to make it an offence to allow an organised hunt to attack cats or dogs on local authority land whether wholly owned or leased by the local authority; and if a hunt does take place to make it a criminal offence against the master of the hunt.

Mr. Douglas Hogg: I refer the hon. Member to the reply given to a question from the hon. Member for Bradford, South (Mr. Cryer) on 21 March 1988 at column 10.

By-Elections

Mr. Allen: To ask the Secretary of State for the Home Department if, following the recent by-election in the Byron ward of Nottingham, he has received any representations seeking a review of local election legislation in relation to spurious nominations; and if he will make a statement.

Mr. Douglas Hogg: No, but I am aware of the concern about the difficulties encountered during the recent casual election to fill a vacancy on Nottingham city council, of which the returning officer and another hon. Member have supplied me with details. It appears that the remedies available in law have so far proved largely adequate to meet the situation.

Police Complaints Authority

Dr. Goodson-Wickes: To ask the Secretary of State for the Home Department whether he is now in a position to circulate the consultation document on the recommendations in the triennial review report for 1985-88 of the Police Complaints Authority.

Mr. Douglas Hurd: The document is being sent today for comment to the police representative bodies, the Association of County Councils, the Association of Metropolitan Authorities, the Director of Public Prosecutions and the Police Complaints Authority. Copies are being placed in the Libraries of both Houses of Parliament. Any other interested party or individual who wishes to comment can obtain a copy of the document from the Home Office, Room 523, 50 Queen Anne's Gate, London SW1, 01-273-3612. Comments are being sought by the end of February 1989.

Police Manpower

Mr. Gregory: To ask the Secretary of State for the Home Department what provision has been made for additional police manpower in 1989-90.

Mr. Hurd: In May 1986 I announced a programme to increase police manpower by 3,200 posts. That programme would be completed in 1989-90 with increases of 800 posts.

Given the heavy demands on police resources, and the undeniable case for yet more officers on the beat, I have agreed with colleagues that the numbers for 1989-90 should be further increased, and that a fresh programme of substantial increases will follow in the years after that.

For 1989-90, therefore, I shall be able to approve up to 1,230 extra police posts: 800 for provincial police forces and 300 for the Metropolitan police, plus up to 130 posts where, as is the case for example at certain airports, costs are reimbursed by third parties.

I have also made provision for 100 extra Metropolitan police civil staff posts, to release 100 police officers for operational duty. These posts will be additional to the increase of 150 civil staff already planned for the Metropolitan police in 1989-90.

As with previous increases in provision for the police service, they will be made subject to my being satisfied that existing manpower is being properly used.

For future years we intend that the programme of increases should be substantial. The police service and police authorities will be fully involved in the process which will determine what the level of increase should be. We shall need to be satisfied that existing resources are used to best advantage, and will examine critically the arguments for increases in the context of competing demands for increases in public expenditure.

We maintain our commitment to achieving the best use of resources within police forces, and ensuring that we get value for money from the extra manpower which has been made available to the police service. I am confident that the police share this commitment, and that they will continue to find fresh ways of using their officers more effectively.

Unlicensed Vehicles

Mr. Tony Banks: To ask the Secretary of State for the Home Department how many people in London have been prosecuted successfully for keeping an unlicensed vehicle on the road in each of the past five years.

Mr. Douglas Hogg *[holding answer 7 November 1988]:* In the Metropolitan police district and the City of London police force area there were, in 1985 and 1986 respectively, 17,158 and 19,890 findings of guilt for failure to pay the appropriate duty for a motor vehicle licence. Information for earlier years could be provided only at disproportionate cost. National figures for this offence are published annually in table 5 of "Offences relating to motor vehicles, England and Wales, Supplementary tables". The issue for 1987 will be published soon.

Probation Officers

Mr. Thurnham: To ask the Secretary of State for the Home Department what matters he will discuss at his next meeting with the Association of Chief Officers of Probation; and if he will make a statement.

Mr. John Patten *[holding answer 31 October 1988]:* While my right hon. Friend has no plans at present to meet the Association of Chief Officers of Probation, I have met it on a number of occasions—most recently at its annual conference in Leeds on 15 September—and I hope to meet it again before long to discuss the promotion of community-based disposals and the future role of the probation service. The Government have set out major proposals affecting the work of the probation service in the Green Paper "Punishment, Custody and the Community" published in July (Cm. 424) and in an action plan issued to the probation service, the courts and others in August. The aim of these proposals is to enable more offenders to be

punished in the community rather than by custody. I look forward to further constructive discussions with the probation service on this subject.

Disaster Inquiries

Mr. Alexander: To ask the Secretary of State for the Home Department if he will list each public inquiry which has been held as a result of a disaster in the past eight years; and what was the cost to public funds of each of them.

Mr. Hurd *[holding answer 28 October 1988]:* Public inquiries have been held by a number of Departments over the last eight years; details are set out in the table. These figures include basic running costs such as premises, printing and paper costs, boards of assessors and clerks to the inquiry; where indicated, Treasury solicitors' and staff costs are also included. In some instances details of staff costs could only be obtained at a disproportionate cost.

Year	*Title/Location*	*Type*	*Cost* £
1980	Pool Fisher	Shipping	34,703
1981	Kurdistan	Shipping	171,267
1981	Seer Green	Railway	[1]5,500
1983	Solomon Browne/Union Star	Shipping	186,231
1983	Grainville	Shipping	108,008
1983	European Gateway/Speedlink Vanguard	Shipping	215,790
1984	Eccles	Railway	[1]5,500
1984	Wembley Central	Underground	[1]8,000
1984	Polement	Railway	[1]5,500
1985	Bradford City FC	Stadium Fire	[1]291,903
1985-86	Marques	Shipping	375,715
1986	Lockington	Railway	[1]9,000
1987	Glanrhyd	Railway	[1]13,000
1987	Herald of Free Enterprise	Shipping	[1]190,955
1987-88	King's Cross	Underground	[1]1,219,975 to date
1987-88	Derbyshire	Shipping	283,853 to date

[1] These figures include Treasury solicitors' costs; where appropriate, British Rail costs; and, except in the case of King's Cross, staff costs.

TRADE AND INDUSTRY

Trade Fair (Baghdad)

Mr. Holland: To ask the Chancellor of the Duchy of Lancaster whether he expects to lead a delegation to the trade fair in December in Baghdad; and whether he expects to make any announcement concerning Iraq's export credit.

Mr. Newton: I visited Baghdad from 4 to 7 November as leader of the United Kingdom delegation to the seventh United Kingdom/Iraq joint commission.

A new financial protocol was agreed which will enable United Kingdom exporters to take advantage of increased ECGD backed credits totalling £340 million for contracts signed in 1989. £65 million of this is specifically related to the contract won by NEI for the provision of power-generating equipment for the Al Shemal power station.

Graffiti

Mrs. Gorman: To ask the Chancellor of the Duchy of Lancaster if he will consider a ban on the manufacture, sale and import of spray paint cans in view of the cost to the community of removing the graffiti caused by them; and if he will make a statement.

Mr. Atkins: Graffiti, like all other forms of vandalism and criminal damage, is a problem which the Government take most seriously and this is reflected in the relevant criminal legislation, notably the Criminal Damage Act 1971.

The existing law is adequate to deal with instances of graffiti spraying. The Government have no plans to introduce a ban on the manufacture, sale or import of spray paint cans. However, they are strongly in favour of broadly based preventive action to tackle the graffiti problem. As with similar acts of vandalism, a concerted local approach, involving all sections of the community, is the best way forward.

Securities and Commodities

Mrs. Dunwoody: To ask the Chancellor of the Duchy of Lancaster what arrangements are being made for regulation in the trade of securities and commodities after 1992.

Mr. Atkins: The Financial Services Act 1986 sets the regulatory regime governing investment business in the United Kingdom, including the trading of securities and commodity futures. The European Commission is considering a draft directive on investment business as part of its programme to complete the single European market by 1992.

"Monthly Digest of Statistics"

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster whether he will publish in the *Official Report* a table showing the weights attached to each of the headings in table 15.10 of the *Monthly Digest of Statistics* for imports, exports, home demand and home production; if he will provide a figure for December 1987, showing imports as a percentage of production for the home market; and if he will provide corresponding figures for 1979 and 1970.

Mr. Alan Clark: Weights are not used in the construction of figures published in table 15.10 of the *Monthly Digest of Statistics*. Figures of United Kingdom production for the home market are not available because

it is not possible to estimate with any accuracy the proportion of United Kingdom exports which were originally manufactured abroad, or the proportion of United Kingdom imports originally produced in this country.

Exports and Imports

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster whether he will publish in the *Official Report* a table showing for the metal goods, engineering and vehicle industries his estimate for the current degree of import penetration compared to December 1978 and the earliest period for which figures are available, together with the corresponding increase since 1973 and 1979 in: *(a)* the volume of United Kingdom imports and exports and in the United Kingdom output, *(b)* the volume of new fixed capital investment in manufacturing industry gross and net of capital consumption and *(c)* the change in the balance of trade with the EEC 12, European Free Trade Association, the United States of America and the rest of the world.

Mr. Alan Clark: Relevant information is in the following table. It has not been possible to make comparisons with 1973 figures due to classification changes.

	Class 31 Metal Goods	*Classes 32, 33, 34, 37 Engineering Industries*	*Classes 35 and 36 Vehicle Industries*
1. Estimates of import penetration—percentages			
Year ended December 1975	8	29	34
Year ended December 1978	10	36	37
Year ended December 1987	18	50	47
2. Increase in volume of imports (measured as changes in value of constant price trade) 1979 to 1987 percentage	+64	+114	+31
3. Increase in volume of exports (measured as changes in value of constant price trade) 1979 to 1987 pecentage	−6	+33	+13
4. Percentage change in output between 1979 and 1987 (Index of Production, 1985 = 100)	−13	[1]—	−5
changes for individual engineering classes:			
32: mechanical engineering	—	+23	—
33: data processing equipment and office machinery	—	+264	—
34: electrical and electronic engineering	—	+15	—
37: instrument engineering	—	+13	—
5. Change in balance of trade with the following areas between 1975 and 1987. (In pounds millions.)			
(i) EEC 12	−506	−2728	−4199
(ii) EFTA	−56	+125	−85
(iii) USA	−29	−591	+987
(iv) Rest of the world	−41	−1040	+46
6. Change in balance of trade with the following areas between 1979 and 1987 (In pounds millions.)			
(i) EEC 12	−491	−2376	−2698
(ii) EFTA	−56	+83	+30
(iii) USA	−29	+23	+1092
(iv) Rest of the world	−88	−1942	+119
7. Changes in the volume of spending on new fixed capital investment by manufacturing industry are shown below:			
Change in gross spending between 1973 and 1987 +9 per cent.			
Change in gross spending between 1979 and 1987 −10 per cent.			
Change in net spending between 1973 and 1987 −74 per cent.			
Change in net spending between 1979 and 1987 −78 per cent.			

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster whether he will publish in the *Official Report* a table showing for each year since 1976 the value of, respectively, imports and exports of manufactures less erratics in terms of 1985 unit values, together with his estimate of the contribution made to the increase in the deficit in 1986, 1987 and 1988 to date of *(a)* the change in the competitiveness of British industry, *(b)* the increase in net investment in plant and machinery by manufacturing industry and *(c)* the increase in consumer demand for goods; and if he will provide figures of the change in each case.

Mr. Alan Clark: No estimates are available of the contributions made to the increase in deficit of the factors mentioned in the question. The value at 1985 prices of imports and exports of manufactures, excluding the erratic items, for the years 1976 to 1987, is as follows:

Trade in manufactures excluding erratics
(Balance of payments basis) *£ billion 1985 prices*

	Imports	*Exports*
1976	24·7	39·6
1977	27·0	42·3
1978	30·8	42·8
1979	35·8	42·5
1980	33·6	42·0
1981	35·4	40·9
1982	39·3	41·1
1983	44·3	40·5
1984	49·5	44·6
1985	51·9	48·0
1986	55·0	48·5
1987	60·6	52·3

Grants and Assistance

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster what was the total expenditure on regional

development grants and regional selective assistance in 1985-86, 1986-87 and 1987-88 for Wales and each of the standard regions.

Mr. Atkins: Total expenditure on regional development grants and regional selective assistance in the English regions in the years in question was:

£ million

	North East	*North West*	*Yorkshire/ Humberside*	*East Midlands*	*South West*	*West Midlands*
1985-86	62·0	96·3	32·5	8·3	11·1	5·5
1986-87	107·4	132·6	37·2	10·6	20·5	9·8
1987-88	81·0	70·7	31·9	9·4	11·3	18·3

Notes:
1. All figures are gross of domestic receipts and expected receipts from the European regional development fund.
2. The figures incorporate expenditure under the original and revised RDG schemes, and on RSA industrial and training grants.

Questions about the operation of RDG and RSA in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster if he will provide figures on regional selective assistance for *(a)* the total number of applications outstanding on 31 March, and the total number of applications received since April, *(c)* the number of those outstanding applications that have subsequently been processed, *(d)* the number of those applications where payment has been made, *(e)* the total amount of money paid out since 31 March in regional selective assistance and *(f)* the total estimated planned expenditure for that period and for 1988-89 for Wales and each of the standard regions.

Mr. Atkins: The information requested in respect of regional selective assistance industrial and training grants is as follows:

	North East	*North West*	*Yorkshire and Humberside*	*East Midlands*	*South West*	*West Midlands*
(1) Number of applications outstanding at 31 March 1988	30	100	50	10	30	100
(2) Number of applications received since 1 April 1988	150	260	150	20	60	360
(3) Number of outstanding applications at (1) fully processed at end-October 1988	30	90	40	10	30	100
(4) Number where some payment has been made by end-October 1988	5	13	4	2	3	12
(5) Total grant paid (£000) from 1 April 1988 to 31 October 1988	14,106	11,337	4,005	505	1,978	12,651

Note: All figures are gross of domestic receipts and expected receipts from the European Regional Development Fund.

Current provision for expenditure on RSA industrial and training grants in 1988-89 in England is £128 million; this will become £121 million if Parliament approves Winter Supplementary Estimate proposals published on 10 November. Estimates of future expenditure in England are not broken down by region. Questions about the operation of RSA in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Business Development Consultancy

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster if he will give *(a)* the total number of applications received for business development consulting costs from 1 April to the most recent date for which figures are available, *(b)* the total number of applications approved, *(c)* the total amount of expenditure involved and *(d)* the total estimated planned expenditure for that period, for Scotland, Wales and for each of the standard regions.

Mr. Atkins: The business development consultancy initiatives were launched on 13 January 1988 with the introduction of the first four initiatives for design, quality, marketing and manufacturing systems. Two further initiatives—business planning and financial and information systems—were added on 29 March. In the period 1 April to 28 October a total of 10,333 applications were received for the six consultancy initiatives. In the same period 6,680 applications were approved for consultancy. The Department's contribution to the cost of completed consultancies totalled £3·03 million. It is estimated that those consultancies not completed by 28 October will cost the Department £17·41 million. A breakdown of numbers and cost for each DTI region[1] and for Scotland and Wales is as follows:

DTI region[1]/Country	*(a) Number of applications received*	*(b) Number of applications approved for consultancy*	*(c) DTI expenditure on completed consultancies (£'000)*	*(d) Planned expenditure on outstanding consultancies (£'000)*
North East	537	369	149	980
North West	1,641	1,177	628	2,974
Yorkshire and Humberside	991	653	364	1,634
West Midlands	1,051	653	394	1,604

DTI region[1]/Country	(a) Number of applications received	(b) Number of applications approved for consultancy	(c) DTI expenditure on completed consultancies (£'000)	(d) Planned expenditure on outstanding consultancies (£'000)
East Midlands	634	465	185	1,238
South West	1,026	549	176	1,504
South East:				
Cambridge	707	440	134	1,212
London	1,112	649	309	1,677
Reading	585	374	121	1,023
Reigate	534	333	133	886
Scotland	848	580	303	1,472
Wales	667	438	137	1,203
Total	10,333	6,680	3,033	17,407

[1] Data are collected for DTI regions and for Scotland and Wales. DTI regions are similar to standard economic regions except that DTI north-west includes Cumbria and the High Peak district which are in the north and east midlands standard economic regions respectively, and DTI south-east includes the East Anglia standard economic region.

Regional Assistance

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster if he will provide figures on regional development grants for *(a)* the number of applications outstanding on 31 March, *(b)* the number of those outstanding applications that have subsequently been processed, *(c)* the number of those applications where payment has been made, *(d)* the number of those applications that are still outstanding, *(e)* the total amount of money paid out since 31 March in regional development grants to those applications and *(f)* the total estimated planned expenditure for that period and for 1988-89 for Wales and each of the standard regions.

Mr. Atkins: The information requested in respect of the revised regional development grant scheme in England is as follows:

	North East	North West	Yorkshire and Humberside	East Midlands	South West
Number of applications outstanding at 31 March 1988	3,260	2,740	830	240	540
Number of these processed at end-October 1988	2,350	2,210	800	210	520
Number where some payment has been made by end-October 1988	350	420	110	30	120
Number still outstanding at end-October 1988	910	530	30	30	20
Grant paid (£ million) on applications outstanding at 31 March 1988	4·4	5·5	1·1	0·5	1·1
Total grant paid (£ million) from 1 April 1988 to 31 October 1988	24·5	23·1	7·8	3·8	4·6

Note:

All expenditure figures are gross of domestic receipts and expected receipts from the European Regional Development Fund.

Current 1988/89 provision RDG II in England is £122·2 million gross; this will rise to £135·2 million if Parliament approves Winter Supplementary Estimate proposals published on 10 November. Estimates of future expenditure in England are not broken down by region.

Questions about the operation of RDG in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster (1) if he will give *(a)* the total number of applications received for innovation grants from 1 April to the most recent date for which figures are available, *(b)* the total number of applications approved, *(c)* the total amount of expenditure involved and *(d)* the total estimated expenditure planned for that period, for Scotland, Wales and for each of the standard regions;

(2) if he will give *(a)* the total number of applications received for investment grants from 1 April to the most recent date for which figures are available, *(b)* the total number of applications approved, *(c)* the total amount of expenditure involved and *(d)* the total estimated expenditure planned for that period, for Scotland, Wales and for each of the standard regions.

Mr. Atkins: Regional enterprise grants became available on 1 April 1988 in the development areas, and on 1 September 1988 in South Yorkshire. The information requested, for the English regions for which DTI is responsible, for the seven months to 31 October 1988, is as follows:

Regional Enterprise Grants

Investment	Number of applications	Number of offers	Value of offers (£000)
North East	169	90	431
North West	219	124	800
Yorkshire and Humberside	58	18	138
East Midlands	13	8	37
South West	73	41	163
Total England	532	281	1,569

Payments of £84,235 have been made under Investment up to end October.

Innovation			
North East	59	17	311
North West	70	23	487
Yorkshire and Humberside	21	8	173
East Midlands	4	2	50
South West	17	3	75
Total England	171	53	1,096

Payments of £26,000 have been made under Innovation up to end October.

The amount of expenditure paid out in any particular region depends on demand for the scheme and the appraisal of individual applications. The value of grants

actually paid so far reflects the nature and timescale of the projects on which applicants have sought grants since scheme commencement in April.

Total provision for expenditure on regional enterprise grants in England in 1988-89 is £12·3 million. Questions about the operation of regional enterprise grants in Scotland and Wales are matters for my right hon. Friends the Secretaries of State for Scotland and Wales respectively.

Mr. McLeish: To ask the Chancellor of the Duchy of Lancaster what was the total estimated expenditure on regional development grants and regional selective assistance in 1988-89, 1989-90 and 1990-91 for Wales and each of the standard regions.

Mr. Atkins: The total 1988-89 provision for expenditure on regional development grants and regional selective assistance in England is £317 million; this will become £312 million if Parliament approves Winter Supplementary Estimate proposals published on 10 November. Current year figures and estimates for future expenditure in England are not broken down by region. Information about planned expenditure in 1989-90 and 1990-91 will be published in the Public Expenditure White Paper in January. Expenditure as previously planned was set out in the reply, given to the hon. Gentleman on 15 March 1988.

Questions about the operation of RDG and RSA in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Notes:

(1) The figures given for 1988-89 are net of recoveries and domestic receipts, but gross of receipts from the European regional development fund.

(2) RSA includes industrial and training grants, and expenditure under the business improvement services and exchange risk guarantee schemes.

Single European Market

Mr. Henderson: To ask the Chancellor of the Duchy of Lancaster if he will make it his policy to convene a national conference involving representatives of Government, business and trade unions in order to discuss and evolve a national strategy for the social dimension of the single European market.

Mr. Maude: No.

Unleaded Petrol

Sir Philip Goodhart: To ask the Chancellor of the Duchy of Lancaster what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Atkins: None. The Department's policy is that where practicable new vehicles should either be diesel-powered or run on lead-free petrol. Existing petrol engined vehicles should be converted to lead-free petrol at a convenient major service where that can be done at no significant cost.

Mr. Key: To ask the Chancellor of the Duchy of Lancaster what steps he is taking to encourage British car makers to provide vehicles designed to run on unleaded petrol.

Mr. Atkins: It is Government policy to establish the use of unleaded petrol as the dominant fuel in the United Kingdom as quickly as possible. From October 1989 all new models of cars, and from October 1990 all new cars, must be able to run on unleaded petrol. The duty differential introduced in the last Budget gives the fuel a retail price advantage of some 6p compared with four-star petrol. In addition, the Government support the activities of the Campaign for Lead Free Air (CLEAR), which runs campaigns to encourage the use of the fuel. As a result, demand for cars which can run on unleaded petrol is growing, and this means that it is in the commercial interests of car manufacturers to provide them as quickly as they can.

Post Offices

Mr. Parry: To ask the Chancellor of the Duchy of Lancaster what representations he has received concerning the proposal to change some main post offices to agency offices; and if he will make a statement.

Mr. Forth: My right hon. Friend the Chancellor of the Duchy and I had received as at 10 November representations from seven hon. Members, bodies concerned and members of the public.

Mr. Parry: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on Post Office employee's pension rights following the change of main post offices to agency office status in April 1989.

Mr. Forth: Pension arrangements for Post Office employees are an operational matter for the Post Office. I understand, however, that the Post Office expects to be able to absorb the vast majority of employees affected by the change of status. Those few who may not be able to be absorbed would be offered redundancy terms in accordance with existing Post Office redundancy arrangements.

Imports

Mr. Cryer: To ask the Chancellor of the Duchy of Lancaster if he will give the import penetration in the United Kingdom market of 35 mm single lens reflex cameras, pocket computers, table-top computers, photocopiers, video recorders, black and white video cameras, colour video cameras, video camera battery packs and photographic tripods, stating the sources of imports in each case for 1987 and 1988 to the most recent practicable date.

Mr. Alan Clark: We have information on photocopiers, 35 mm cameras, video tape recorders and video cameras; the other items are not individually identifiable.

Photocopiers

Import penetration for 1987 is not available because of disclosure on sales.

Major sources of imports were:

France
Netherlands
West Germany

For the first half of 1988 import penetration was 124 per cent.

Major sources of imports were:

West Germany
Japan
Netherlands

Note: There is a large amount of entrepot trade in photocopiers.

Cameras 35 mm

No import penetration figures are available. Major sources of imports for 1987 and the first half of 1988 were:

Japan
West Germany
Hong Kong

	1987 £ million	1988 Q1 £ million
Video Tape Recorders	184·7	37·9
Exports	186·4	45·9
Imports	402·0	67·0
Import Penetration	100·4 per cent.	113·5 per cent.

Leading importers

1987	1988 Q1 and Q2
Japan	Japan
Federal Republic of Germany	Federal Republic of Germany
South Korea	South Korea

Video Cameras

No import penetration figures are available for video cameras.

Leading importers

1987	1988 Q1 and Q2
Japan	Japan
Federal Republic of Germany	Netherlands
Netherlands	Federal Republic of Germany

Note:
Import penetration is calculated as
(Imports/United Kingdom Market) × 100 per cent.
where United Kingdom market = Sales—Exports + Imports.

Sumrie Clothing Ltd.

Mrs. Peacock: To ask the Chancellor of the Duchy of Lancaster when he expects to publish the report of the inspectors who have investigated the dealings in the shares of Sumrie Clothing Ltd., and the involvement of Mr. M. Z. Heptres; and if he will make a statement.

Mr. Maude: It is my intention to publish this report shortly.

Accounting Standards (Dearing Report)

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster when he expects to respond to the recommendations of the committee chaired by Sir Ron Dearing on accounting standards.

Mr. Maude: The Consultative Committee of Accountancy Bodies, to which the report was addressed, is now considering the Dearing recommendations. I understand that the committee aims to reach a view early in 1989. The Government will want to consider the views of all interested parties before reaching a decision on those recommendations which require action by the Government.

Motor Cars

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster if he will publish in the *Official Report* a table showing the increase in the volume and value of domestic production and of imports and exports of cars in the third quarter of 1988 compared with the third quarter of 1987, the increase in each of the three previous periods of 12 months and the corresponding increases in the terms of trade for cars and the increase in relative export prices for United Kingdom manufactures.

Mr. Alan Clark: There are no figures for the value of domestic production of passenger motor cars. The remaining figures requested are shown in the table:

Passenger motor cars
Percentages changes on same period a year earlier

	Q3 1988	12 months to September 1988	1987	1986
Domestic production (number)	−1	+5	+13	−1
Imports				
value	+34	+28	+7	+13
volume	+27	+23	−5	+2
Exports				
value	−10	+7	+38	+2
volume	−10	+5	+19	−2
Terms of trade	−5	−2	+5	0
Export prices relative to domestic prices	−9	−7	+7	−3

Illegal Radio Broadcasting

Mr. Evennett: To ask the Chancellor of the Duchy of Lancaster what additional steps his Department is taking to detect and prosecute illegal radio broadcasters in Greater London.

Mr. Atkins: I refer my hon. Friend to the reply given to him on 1 February 1988, at column 455, by my hon. Friend the Member for Coventry, South-West (Mr. Butcher). We are also seeking to strengthen the terms of the law concerning the unlicensed use of radio as soon as possible. I would also refer my hon. Friend to the Home Secretary's reply of 2 November to a question from my hon. Friend the Member for Derby, North (Mr. Knight). Illegal broadcasters convicted after 1 January 1989 would be statutorily debarred from involvement with stations licensed by the proposed Radio Authority for a five-year period.

Mr. Evennett: To ask the Chancellor of the Duchy of Lancaster what is his Department's estimate of the number of illegal radio broadcasting organisations in Greater London.

Mr. Atkins: The total number of unlicensed broadcasts varies considerably over time and my Department does not undertake systematic and regular monitoring. But so far this year my Department's radio investigation service has carried out 303 raids on 58 unlicensed stations broadcasting in the Greater London area.

Cigarette Imports

Mr. Parry: To ask the Chancellor of the Duchy of Lancaster what has been the level of the import of high tar cigarettes from Eastern Europe in each of the past five years; and if he will make a statement.

Mr. Alan Clark: Available information is limited to total cigarette imports as tar levels are not separately identified in the *Overseas Trade Statistics*.

United Kingdom imports of cigarettes from Eastern Europe 1983-87

£s

	1983	1984	1985	1986	[1]1987
German Democratic Republic	77,973	2,803	—	32	85
USSR	77	—	—	—	3
Yugoslavia	22	122	8	—	—
Hungary	16	10	34	7	4
Bulgaria	5	20	—	66	—
Czechoslovakia	—	8	—	—	—

[1] January to December.

Source: Overseas Trade Statistics.

Note: Cigarettes defined as United Kingdom tariff heading 2402 1000. 1987 figures provisional. Figures on country of origin basis. Imports valued cif.

European Community (Financial Institutions)

Mr. Dykes: To ask the Chancellor of the Duchy of Lancaster what action he is taking to enable British financial institutions to function on equal terms with similar institutions from the other European Economic Community member states operating in Britain.

Mr. Atkins: The Government are, as my hon. Friend will be aware, fully committed to completion of the single market by 1992. Two important proposals in the 1992 programme, the draft second banking directive and the proposed draft investment services directive, are designed to enable financial institutions from all member states to compete on level playing fields throughout the Community on the basis of a single authorisation.

Elders IXL

Mr. Beith: To ask the Chancellor of the Duchy of Lancaster what actions were taken by his Department in response to the discovery that Elders IXL continued to buy shares in Scottish and Newcastle Breweries after solicitors to Elders had been informed by the Office of Fair Trading that its bid was being referred to the Monopolies and Mergers Commission; by how much he estimates the Elders share of Scottish and Newcastle increased by trading after the referral announcement; and whether he will make a statement.

Mr. Maude: My right hon. and noble Friend made an order on 10 November 1988, No. 1965, the effect of which is to prohibit further purchases of shares and to restrict to 15 per cent. the extent to which Elders IXL may exercise voting rights in respect of the Scottish and Newcastle Breweries shares held by it.

I understand that the Elders IXL holding in Scottish and Newcastle Breweries increased by some 10 per cent.

Import Penetration

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster whether he will publish in the *Official Report* a table showing for the metal manufacturing, chemical and man-made fibre, textile, and footwear and clothing industries, respectively, his estimate for the current degree of import penetration and in December 1978 and the earliest period for which figures are available, together with the increase in each case since 1973 and 1979 in *(a)* the volume of imports and exports and in United Kingdom output, *(b)* the volume of new fixed capital investment in manufacturing industry gross and net of capital consumption and *(c)* the change in the balance of trade with the EEC 12, European Free Trade Association, the United States of America and the rest of the world.

Mr. Alan Clark *[holding answer 11 November 1988]:* Relevant information is in the table. It has not been possible to make comparisons with 1973 figures, due to classification changes.

	Class 22 Metal manufacturing	Class 25 Chemical industries	Class 26 Man-made fibres	Class 43 Textiles	Group 451 Footwear	Group 453 Clothing
1. Estimates of import penetration—percentage						
Year ended December 1975	28	22	32	23	24	21
Year ended December 1978	25	28	41	31	30	25
Year ended December 1987	42	41	66	47	47	39
2. Increase in volume of imports (measured as changes in value of constant price trade) 1979 to 1987 percentage	+16	+84	+21	+49	+48	+60
3. Increase in volume of exports (measured as changes in value of constant price trade 1979 to 1987 percentage	+29	+49	−31	+3	−3	+24
4. Percentage change in output between 1979 and 1987 (Index of production, 1985 = 100)	−6	+17	−38	−16	−20	+1
5. Change balance of trade with the following areas between 1975 and 1987. (In pounds millions.)						
(i) EEC 12	+18	−753	−144	−1,049	−204	−57
(ii) EFTA	−41	−36	+7	−118	−65	+18
(iii) USA	+63	+122	+7	+129	+7	+57
(iv) Rest of world	+264	+2.041	+3	−711	−298	−794
6. Change in balance of trade with the following areas between 1979 and 1987. (In pounds millions.)						
(i) EEC 12	−77	−629	−151	−842	−100	−92
(ii) EFTA	−96	−8	+6	−79	−55	−8
(iii) USA	−29	+214	+20	+154	+4	+70
(iv) Rest of world	+224	+1,478	−23	−589	−241	−664

7. Changes in the volume of spending on new fixed capital investment by manufacturing industry are shown below:

	Class 22 Metal manufacturing	Class 25 Chemical industries	Class 26 Man-made fibres	Class 43 Textiles	Group 451 Footwear	Group 453 Clothing
Change in gross spending between 1973 and 1987	+9 per cent.					
Change in gross spending between 1979 and 1987	−10 per cent.					
Change in net spending between 1973 and 1987	−74 per cent.					
Change in net spending between 1979 and 1987	−78 per cent.					

DEFENCE

Trident Programme

Mr. John Marshall: To ask the Secretary of State for Defence if he will make a statement about the progress of the Trident programme.

Mr. Sainsbury: The Trident programme continues to make satisfactory progress towards its in-service date of the mid-1990s. The programme is on time and within budget.

Surface Vessels (Submarine Incidents)

Mr. Menzies Campbell: To ask the Secretary of State for Defence what representations he has received about the sinking of surface vessels after interference by submarines.

Mr. Archie Hamilton: Letters have been received from fishermen's organisations and from other interested groups and individuals about a number of sinkings in which submarines are alleged to have been involved.

Mr. Menzies Campbell: To ask the Secretary of State for Defence if an internal inquiry has been conducted in any previous instances of complaints of the sinking of surface vessels following interference by a submarine.

Mr. Archie Hamilton: The Royal Navy investigates all such reports.

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) if he will order a review of operational instructions given to submarine commanders regarding conduct after the sinking of a surface vessel through interference by a submarine;

(2) if he will order a review of the operational instructions given to submarine commanders with the aim of minimising the danger to fishing vessels from submarines.

Mr. Archie Hamilton: No. I am satisfied both with the training which submarine commanding officers receive in the avoidance of surface ships of all kinds, including fishing boats and their gear, and that commanding officers are aware of the procedures to be followed should a collision nonetheless occur.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Defence what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Sainsbury: I am pleased to announce that it has now been decided that all new staff cars due to be bought in the future will be capable of operating on unleaded petrol. Of the existing vehicles, 2,200 can be modified simply and work has been put in hand to do this. By the end of this financial year 70 per cent. of the fleet will be capable of using unleaded petrol; this figure will be increased progressively over the next three years to 100 per cent. as the balance of cars that cannot be converted cost-effectively become due for replacement.

Departmental Staff

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) what steps he is taking to avoid problems and delays due to shortages of qualified staff in the research and production divisions of his Department;

(2) whether a shortage of qualified staff has caused any difficulties in *(a)* the Trident missile warhead programme, or *(b)* in any similar programme within his Department.

Mr. Sainsbury: I will write to the hon. and learned Gentleman.

Computers (Safety)

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) if he will order an inquiry into the security of his Department's computer systems, following the recent incidents of computer hacking both in Britain and abroad;

(2) what assessment he or his Department has made of the vulnerability of his Department's computer systems to penetration by computer hackers.

Mr. Archie Hamilton: The vulnerability of information held on MOD computers is being assessed as part of my Department's investigation of recent press reports of a hacker gaining access to highly classified information on MOD computers.

Motor Gliders

Mr. Bill Walker: To ask the Secretary of State for Defence if he will give details of the types of motor glider which are presently being examined as possible replacements for the Air Cadet Venture motor glider; if consideration is being given to purchasing a glass reinforced plastic motor glider which can be serviced by the same team which services the Air Cadets' conventional fleet; and if he will make a statement.

Mr. Sainsbury: Replacement of the Venture motor glider fleet is currently under consideration. A final decision will be taken following a competitive tendering exercise later this year and will take into account all the relevant factors, including long-term maintenance costs.

Nuclear Submarines

Mr. Alton: To ask the Secretary of State for Defence whether any incidents relating to atmospheric discharges of radionuclides involving US nuclear submarines have been reported to his Department.

Mr. Archie Hamilton: No.

Mr. Alton: To ask the Secretary of State for Defence why the US nuclear submarine, USS Phoenix is currently being repaired in Faslane dry dock; and what repairs are being undertaken.

Mr. Archie Hamilton: The USS Phoenix visited Faslane recently for the purpose of rest and recreation. She was not dry-docked and no repairs were carried out. She has since sailed.

AWRE Aldermaston

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement about the alert at the Atomic Weapons Research Establishment, Aldermaston, on the morning of 8 November; what information he has regarding the cause of this alert; at what times the alert started and ended; and whether there is any link between this alert and the alert of 28 October.

Mr. Archie Hamilton: The cause of the false alarm at the Atomic Weapons Research Establishment at Aldermaston on Tuesday 8 November was an electrical fault in the same system which triggered the false alarm on 28 October. The alarm sounded at 7.05 am and the work force was able to enter the building at 8.07 am.

Salisbury Plain Training Area (Incident)

Mr. Cohen: To ask the Secretary of State for Defence, pursuant to his answer of 8 November, to whom the vehicles involved in the incident on 30 October on the Salisbury Plain training area in which a smoke grenade was discharged belonged; and what nationality were their occupants.

Mr. Archie Hamilton: The vehicles involved are the property of the United States Air Force. The occupants were both British and United States service personnel. The vehicles were exercising on an area of the Salisbury Plain training area from which members of the public were exluded at the time, under the relevant byelaws. Inquiries have disclosed that the complainants' car was assumed to be an exercise vehicle. No disciplinary action will be taken.

Nuclear Weapons Convoys

Mrs. Fyfe: To ask the Secretary of State for Defence what assessment he has made of the potential consequences for the local population of an accident to a nuclear weapons convoy.

Mr. Archie Hamilton: In view of the extensive safety arrangements involved in the design, construction, containerisation and transport of nuclear weapons, our assessment is that it is inconceivable that the impact which could occur in the worst type of road accident would be sufficient to lead to any release of radioactive contamination into the environment.

Mrs. Fyfe: To ask the Secretary of State for Defence what assessment he has made of the risks of fission of nuclear materials carried in convoy along roads.

Mr. Archie Hamilton: Fission occurs naturally and spontaneously in a number of radioactive substances. The nature, quantities and methods of transport for defence nuclear materials mean that we consider it impossible for this process to become critical by accident.

Search and Rescue

Mr. Speller: To ask the Secretary of State for Defence when he will announce his decision on the possible redeployment of 22 Search and Rescue Squadron, RAF Chivenor; and if he will make a statement.

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he intends to make an announcement as to the findings of the review of search and rescue operations at RAF Leuchars; and if he will make a statement.

Miss Emma Nicholson: To ask the Secretary of State for Defence what conclusions he has reached on the deployment of military search and rescue helicopters in England.

Mr. Bill Walker: To ask the Secretary of State for Defence if he will make a statement on the future of the Search and Rescue helicopter flight at RAF Leuchars.

Mr. Freeman: As we announced on 4 December 1986 at columns 725-6 by the then Secretary of State for Transport, the Ministry of Defence and the Department of Transport have been reviewing the arrangements for search and rescue helicopter coverage in the light of the recommendations of the United Kingdom SAR committee. This review has been a lengthy one because of the need not only to safeguard essential military SAR requirements in peace and war, but to take full account of civilian SAR needs.

A number of steps have already been taken to improve SAR helicopter coverage. Military SAR helicopter redeployments at Leconfield, Coltishall, Manston and Portland have already improved overall coverage in the Channel area and on the east coast. Coastguard helicopters have been provided by the Department of Transport at Stornoway and Lee-on-Solent, in addition to Sumburgh. The call-out time of the RN Sea Kings at Culdrose was upgraded on 1 April this year, significantly improving coverage in the south west.

It is now intended to improve the call-out times of the RN Sea Kings at Prestwick from summer 1989. This will provide improved SAR coverage in central Scotland and off the west coast.

RAF Sea Kings will remain at Brawdy, Lossiemouth and Boulmer; and RAF Wessex at Valley. It has also been decided to retain RAF SAR Wessex at Leuchars and Chivenor; with the improved Sea King service at Prestwick and Culdrose and the S-61N at Lee on Solent, particularly at night, the Wessex aircraft at Leuchars and Chivenor will operate during daylight hours only every day from autumn 1989. There will be two Wessex at each station, one of which will be an in-use reserve aircraft.

The net effect of these changes, which have been fully endorsed by the Department of Transport, is greatly to improve overall SAR coverage in the United Kingdom and surrounding waters, benefiting both military personnel and civilians alike.

Royal Naval College

Mr. Steen: To ask the Secretary of State for Defence (1) if he will halt the planned felling of a line of mature trees at the royal naval college, Dartmouth, in connection with the proposed construction of a security fence; if he will

undertake consultations thereon with Dartmouth town council and South Hams district council at an early date; and if he will make a statement;

(2) what steps were taken to procure the requisite permissions for the erection of a security perimeter fence and the felling of mature trees at the royal naval college, Dartmouth.

Mr. Freeman: I shall write to my hon. Friend.

Bolton Artillery Unit

Mr. David Young: To ask the Secretary of State for Defence if he will provide the necessary resources to allow Bolton artillery unit to remain stationed in Bolton.

Mr. Freeman: I wrote to the hon. Member about this on 10 November 1988.

River Tyne (Russian Vessels)

Mr. Ted Garrett: To ask the Secretary of State for Defence if there is any restriction on Russian fishing vessels entering the River Tyne to buy the remains of herring catches from local fishermen.

Mr. Donald Thompson: I have been asked to reply.

There is no blanket ban on Russian vessels operating as fish factory ships entering the Tyne, or on vessels of any other country of origin. However any particular klondyking operation is subject to United Kingdom transhipment licensing. My Department would consider any application on its merits.

Nuclear Materials

Dr. Thomas: To ask the Secretary of State for Defence what are the implications of the recommendations in the report, "Assessment of Candidate Reactor Technology for the New Production Reactor", by the Energy Research Advisory Board of the United States Department of Energy, released in July, for future nuclear materials exchanges under the 1958 Anglo-American mutual defence agreement on atomic energy matters, as amended.

Mr. Sainsbury *[holding answer 26 October 1988]:* The report's recommendations are directed to the United States Government. The MOD is not aware of any implication of the kind referred to.

EMPLOYMENT

Skill Shortages

Mr. Hayward: To ask the Secretary of State for Employment if his Department is involved with industry and commerce in London in their efforts to reduce skill shortages.

Mr. Cope: Yes. It is primarily the responsibility of employers to meet their needs for skills through training. For their part, the Government have increased their investment in training massively since 1979, particularly for young people and the adult unemployed. Both YTS and employment training are delivered in close collaboration with local industry and commerce. Under employment training specific skill shortages, for example, schemes to train adults in construction skills within Docklands have been announced recently.

Labour Statistics

Ms. Richardson: To ask the Secretary of State for Employment how many women are employed in firms with fewer than 20 employees; and what proportion of the total number of women in paid employment this represents.

Mr. Lee: Information is not available in the exact form requested. It is estimated from the labour force survey that in spring 1987 there were 4,705,000 women in paid employment in Great Britain, who worked either on their own or in places where there were fewer than 25 employees. These represented 45·7 per cent. of all women in paid employment at that time.

Mr. Parry: To ask the Secretary of State for Employment what was the level of unemployment in the Liverpool, Riverside constituency at the most recent date both as a number and as a percentage.

Mr. Lee: In September 1988 the number of unemployed claimants in the Liverpool, Riverside parliamentary constituency was 9,625. The Department does not calculate unemployment rates for areas smaller than travel-to-work areas. The September 1988 figures include some over-recording.

Vehicle Numbers (Fraud)

Mr. Cohen: To ask the Secretary of State for Employment if he will describe facilities provided to him by the Driver and Vehicle Licensing Centre, Swansea to enable his fraud officers to trace vehicle numbers of claimants; whether he has any figures for the number of such inquiries made by any of his fraud officers; and what controls he has established to ensure that such information is used only for legitimate purposes.

Mr. Lee: The Driver and Vehicle Licensing Centre provide investigators from my Department with non-fee-paying tracing facilities. This enables us to identify the registered keepers of vehicles involved in suspected cases of benefit fraud.

The information requested on the number of inquiries made by my officials is not available centrally and could be obtained only at disproportionate costs.

All investigative work undertaken by fraud offices is subject to management controls.

Earnings

Mr. Austin Mitchell: To ask the Secretary of State for Employment whether he will publish in the *Official Report* a table showing the estimated numbers of part-time and full-time adult male and female manual and non-manual workers from whom a sample was taken for the purpose of the latest new earnings survey; and if he will provide information showing the increase in median earnings in each case since 1979 relative to the increase in the gross domestic product deflator and in the retail price index.

Mr. Lee: Numbers in the new earnings survey sample are published in the table 36, part B of the 1988 report, a copy of which is available in the Library. The percentage increases in median earnings since 1979 after deflating by the gross domestic product (factor cost) deflator and the retail price index respectively are provided in the table:

	Deflated by: GDP deflator per cent.	RPI per cent.
Full-time adult males		
Manual	13	11
Non-Manual	33	30
Full-time adult females		
Manual	14	11
Non-Manual	35	32
Part-time adult males	23	21
Part-time adult females	12	9

Separate figures for manual and non-manual part-timers are not available.

Mr. Austin Mitchell: To ask the Secretary of State for Employment whether he will publish in the *Official Report* a table showing for full-time adult male and female employees, respectively, the percentage increase in earnings of the lowest and highest deciles in April of the current year in relation to 1979 deflated by *(a)* the retail price index and *(b)* the gross domestic product deflator.

Mr. Lee: The information is provided in the table:

Full-time adult employees	Per cent. Deflated by:— RPI	GDP deflator
Males		
Lowest decile	9	12
Highest decile	35	38
Females		
Lowest decile	15	18
Highest decile	43	46

Mr. Austin Mitchell: To ask the Secretary of State for Employment what is the increase in the earnings of the median adult male manual worker since 1978; what is the corresponding increase in the unit cost of employing the median after deflating the increase in earnings by the increase in output per head in manufacturing; what was the corresponding increase in director's earnings, including profits made on share options; what is the estimated increase in the rate of inflation over the same period; and what conclusions he draws concerning the effect of the increase in the earnings of manual workers and of directors on the rate of inflation.

Mr. Lee: Median earnings for full-time adult manual males increased by 148 per cent. between April 1978 and April 1988. Over the same period, wages and salaries per unit of output for all employees in manufacturing (the only readily available data) increased by 99 per cent. and the retail prices index by 114 per cent. No reliable information on directors' earnings is readily available. Pay is a matter for negotiation between employers and employees; if pay settlements are too high, employment will be adversely affected.

YTS

Mr. Robin Cook: To ask the Secretary of State for Employment whether the bridging allowance payable to 16 or 17-year-olds awaiting a YTS place is assessed on a five-day, six-day or seven-day weekly period.

Mr. Cope: YTS bridging allowance is paid for a five-day period, Monday to Friday.

Mr. Wallace: To ask the Secretary of State for Employment how many people in each travel-to-work area were in receipt of the YTS bridging allowance on 4 November.

Mr. Cope: This information is not available for travel-to-work areas. The following table gives the number of people on bridging allowance by region on 2 November and 10 November.

	2 November	10 November
London and South East	4,447	1,447
South West	1,347	646
West Midlands	3,575	1,099
East Midlands	1,898	1,138
Yorkshire and Humberside	3,765	1,360
North West	5,517	1,984
Northern	2,776	880
Wales	1,965	743
Scotland	6,572	2,076
Great Britain	31,862	11,373

British Shipbuilders plc

Dr. Godman: To ask the Secretary of State for Employment what is the total number of former employees of British Shipbuilders plc who have received 13 weeks' arrears of unemployment benefit following the test case in Southampton involving a former employee of the company; what the average payment was; from which of his Department's offices the payments were made to the ex-employees; and what was the total amount paid out.

Mr. Lee: Information is not available in the precise form requested, as records are not kept of unemployment benefit payments arising from claims made in any particular set of circumstances. However, claims for unemployment benefit made by ex-British Shipbuilders employees who were disallowed because of the 13-week payment they received have now been reviewed. Those claimants who had not been paid 312 days of unemployment benefit (the maximum amount payable in any period of unemployment) should by now have received payment of the arrears due. Payments have been made from the offices where the application for arrears were made.

My Department has also authorised special payments to those ex-British Shipbuilders employees who at the time of their redundancy did not make claim to unemployment benefit, either on the advice of their unemployment benefit office or for some other good reason. The number qualifying for these payments, up until September 1988, is 8,389, giving a total of £2,514,265·59 being paid out. The average amount of these payments is £299·71.

Equestrian Employees

Mr. Strang: To ask the Secretary of State for Employment what plans he has to seek to increase the wages, holiday and sick pay, and improving the living conditions of equestrian employees.

Mr. Nicholls: None. Terms and conditions of employment are a matter for employers and employees or their representatives to determine. Sick pay is a matter for my right hon. Friend the Secretary of State for Social Security.

Mr. Strang: To ask the Secretary of State for Employment what is the average weekly pay for equestrian workers employed in stables, riding schools, stud farms, hunting and livery yards.

Mr. Nicholls: Earnings information by occupation is not available at the level of detail requested.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Employment what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Lee: My Department's policy is that all official cars capable of being converted to run on unleaded petrol are so converted at the earliest practicable opportunity; vehicles which cannot be converted are gradually being replaced by those which can run on unleaded petrol.

Tobacco Industry

Mr. Parry: To ask the Secretary of State for Employment how many people have been employed in the tobacco industry in each of the past five years.

Mr. Lee: The information is as follows:

Employees in employment in the tobacco industry[1] in Great Britian

June of each year	
1984	23,500
1985	20,700
1986	17,100
1987	15,100
1988	13,500

[1] Activity Heading 4290 of the 1980 Standard Industrial Classification.

The figures are unadjusted for the effects of seasonal variations and are subject to considerable potential estimation error due to the relatively small number of employees in the industry.

Small Businesses

Mr. Allen: To ask the Secretary of State for Employment what steps his Department has taken to encourage small businesses in the Nottingham, North constituency.

Mr. Cope: I am responsible for co-ordinating policy affecting small businesses throughout the Government.

Specific Department of Employment measures of particular help for small businesses which are available in the Nottingham, North area include: the small firms service, which provides information and business counselling to new and established firms; the small firms centre in Nottingham dealt with 5,193 inquiries between April and October 1988 and delivered some 566 initial counselling sessions for the Nottingham region alone. In the same area there are currently 1,838 people operating under the enterprise allowance scheme which enables those on benefit to start a business. Since the introduction of the loan guarantee scheme in June 1981 some 1,318 loans to the value of £44,380,000 have been guaranteed, as at 31 October 1988, in the east midlands region.

This Department has also supported the local enterprise agency in Nottingham, which provides advice and guidance to small businesses in that area. This assistance was first given under the local enterprise agency grant scheme and this year additionally under the local enterprise agency project scheme. The Training Agency operates a minutes of business training programmes of particular value to small businesses.

ENERGY

Electricity Generation

Mr. Speller: To ask the Secretary of State for Energy what percentage of electricity is generated by nuclear power and by coal in the United States of America, the Union of Soviet Socialist Republics, Japan, Australia, New Zealand, Canada and in each of the European Community countries.

Mr. Michael Spicer: The percentages are as follows:

Percentage of electricity generation by fuel type 1986

Country	*By nuclear power*	*By coal*
United States of America	16·6	56·2
Japan	24·9	14·7
Australia	—	73·7
New Zealand	—	1·8
Canada	15·2	15·3
Belgium	67·1	23·9
Denmark	—	92·5
Federal Republic of Germany	29·3	55·8
France	70·1	9·4
Greece	—	66·7
Irish Republic	—	14·2
Italy	4·6	16·2
Luxembourg	—	[1]40·0
Netherlands	6·3	25·9
Portugal	—	16·2
Spain	29·1	42·7
United Kingdom	19·6	67·3

[1] approximate figure

This information is based on data contained in the IEA publication "Coal Information 1988".

Table 13—"Electricity Production by Fuel".

"Coal Information 1988" also contains estimates and projections of these countries' electricity generation programmes in 1987 and future years.

Similar information for the Union of Soviet Socialist Republics is not readily available.

Petroleum Engineering (Safety)

Mr. Cox: To ask the Secretary of State for Energy if, pursuant to his reply of 22 July, *Official Report*, column *884*, he will disaggregate the figures for *(a)* operations and *(b)* safety for each of the years shown.

Mr. Peter Morrison: The figures for operations and safety cannot be disaggregated.

Safety has always been and will remain an integral part of the duties of all inspectorate staff.

Mr. Cox: To ask the Secretary of State for Energy if, pursuant to his reply of 22 July, *Official Report*, column *884*, what has been the annual budget and the annual staffing complement of the section of his Department with responsibility for implementation of the proposals in the White Paper "Lifting the Burden" (Cmnd. 9571).

Mr. Parkinson: There are two staff whose duties include responsibility for implementing the proposals in Command 9571. The estimated costs of their work on this activity, including administrative support, are as follows:

	Cost £
1985-86 (part year)	2,400
1986-87	5,100
1987-88	6,300

Mr. Cox: To ask the Secretary of State for Energy, whether pursuant to his answer of 22 July, *Official Report*, column *883*, if he will list in the *Official Report* the names of the companies granted exemptions from safety regulations for each year since 1979, including details of which off shore installation the exemptions applied to.

Mr. Peter Morrison: This information could be obtained only at disproportionate cost.

Mr. Mudd: To ask the Secretary of State for Energy, if he will indicate the number of divers who have made representations to his Department since the Piper Alpha disaster on matters of the enhanced safety of operations in offshore installations.

Mr. Peter Morrison: I have received five specific representations from divers.

Safety Directorate

Mr. Cox: To ask the Secretary of State for Energy, pursuant to his reply of 22 July, *Official Report*, column *884*, what has been the annual budget of the safety directorate since 1979.

Mr. Peter Morrison: Annual budgets for the safety directorate are not separately identified within my Department's estimates for administrative expenditure.

Nottingham

Mr. Allen: To ask the Secretary of State for Energy if he will meet Nottingham city council to discuss the east Eastcroft district heating scheme and other energy related matters relevant to the city of Nottingham.

Mr. Peter Morrison: I have no plans to meet Nottingham city council at present. However, I am aware of the Eastcroft district heating scheme, which earlier this year received a grant from my energy efficiency office for an extended energy survey.

Nuclear Technology

Mr. Cohen: To ask the Secretary of State for Energy if, pursuant to his answer of 16 June, *Official Report*, column *102*, any further transfers of nuclear technology have been approved.

Mr. Michael Spicer: No.

Mr. Cohen: To ask the Secretary of State for Energy if he has any estimate as to whether any unauthorised transfer of nuclear material, technology, reprocessing and waste management has taken place since 1979.

Mr. Michael Spicer: I am not aware of any such unauthorised transfer.

Mr. Cohen: To ask the Secretary of State for Energy if he will publish the assurances given by Japan in connection with the recent transfer of nuclear technology, in line with the policy on such exports as shown in the *Official Report*, of 31 March 1976, column *515*.

Mr. Michael Spicer: I refer the hon. Member to the answer given to the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) on 16 December 1987 at column *516*.

Mr. Cohen: To ask the Secretary of State for Energy if he will give details of the transfer of nuclear technology to Japan referred to in the *Official Report*, of 16 June, column *182*.

Mr. Michael Spicer: The transfer referred to in my reply to the hon. Member on 16 June 1988 at column *182* was of reprocessing technology. Specific details of individual contracts are commercially confidential.

Mr. Cohen: To ask the Secretary of State for Energy if he will extend to transfers to the United States of America the considerations on the export of nuclear equipment, material or technology as set out in the *Official Report*, of 31 March 1976, column *515*.

Mr. Michael Spicer: All civil exports of nuclear materials, equipment and technology are made within the guidelines set out in the statement referred to by the hon. Member.

Lead-free Petrol

Sir Philip Goodhew: To ask the Secretary of State for Energy what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Parkinson: My Department owns only one vehicle, a van, which is unsuitable for conversion to run on unleaded petrol. Full consideration will be given to one capable of so operating when the vehicle is due for replacement. The Crown Suppliers have issued instructions that all vehicles provided by them for departmental use which can be converted to run on unleaded petrol should be so converted at the earliest opportunity.

Privatisation

Sir Trevor Skeet: To ask the Secretary of State for Energy whether he proposes to privatise British Electricity Ltd.

Mr. Michael Spicer: British Electricity International is to be transferred to the CEGB, and will eventually become a wholly-owned subsidiary of the larger of the two CEGB successor generation companies to be formed under the Government's privatisation proposals.

Sir Trevor Skeet: To ask the Secretary of State for Energy whether he proposes to privatise British Nuclear Fuels plc together with subsidiary and associated companies.

Mr. Michael Spicer: The Government have no plans at present to sell shares in British Nuclear Fuels plc.

Sir Trevor Skeet: To ask the Secretary of State for Energy whether he proposes to offer for sale that part of the National Nuclear Corporation Ltd. which at present is held by the United Kingdom Atomic Energy Authority.

Mr. Michael Spicer: I refer my hon. Friend to the answer given to my hon. Friend the Member for Lancashire, West (Mr. Hind) on 27 July 1988 at column *292*. The sale of the shareholding was completed on 31 August 1988.

Sir Trevor Skeet: To ask the Secretary of State for Energy whether he proposes to sell the United Kingdom Atomic Energy Authority.

Mr. Michael Spicer: I have no present plans to do so.

Nuclear Power Station (East London)

Mr. Cohen: To ask the Secretary of State for Energy whether he has given any consideration to proposals to build a nuclear power station in east London; and if he will make a statement.

Mr. Michael Spicer: No.

Mersey Barrage

Mr. Alton: To ask the Secretary of State for Energy when he expects to make a statement on the feasibility of the construction of the Mersey barrage.

Mr. Michael Spicer: A decision on the next steps will be taken after completion of the current £1·3 million phase II feasibility studies at the end of 1990. The studies are being undertaken by the Mersey Barrage Company with 50 per cent. financial support from the Department of Energy.

Magnox Reactors

Mr. Cohen: To ask the Secretary of State for Energy (1) on what date the Magnox nuclear power station at Berkeley was last refuelled; and what was the tonnage of fuel loaded at this time;

(2) what is the frequency of refuelling for the United Kingdom's civil Magnox reactors are under the management of the Central Electricity Generating Board.

Mr. Michael Spicer: Unless there are difficulties with the refuelling equipment all CEGB Magnox reactors are refuelled continuously on load on a channel-by-channel basis. Fuel is discharged from a reactor when it has reached full burn-up. Because it had to be shut down for refuelling following problems with its fuel handling equipment, Berkeley power station is refuelled on a batch basis. Refuelling (of reactor 1) last took place between 4 April and 17 July 1988 and was at the minimum level required to avoid excessive power loss during its remaining planned period of operation. Reactor 2 was shut down on 27 October 1988.

Radiation (Yorkshire)

Mr. Hardy: To ask the Secretary of State for Energy what information he has in regard to recent reports of a cloud of irradiated material passing over Yorkshire.

Mr. Michael Spicer: I refer the hon. Member to the answer given by the Parliamentary Under-Secretary of State for the Environment, my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley) to the hon. Member for Southport (Mr. Fearn) on 11 November 1988.

British Nuclear Fuels Ltd.

Mr. Salmond: To ask the Secretary of State for Energy which countries and organisations have signed contracts with British Nuclear Fuels Limited for the reprocessing of nuclear fuel which do not include options for the return of the waste; what are the approximate volumes of low intermediate and high level waste material which are expected to arise from each of these contracts; and whether the Government proposes to dispose of all such waste in the United Kingdom.

Mr. Michael Spicer: Since 1976, BNFL's contracts for the reprocessing of overseas spent fuel have contained options for the return of wastes. The Government intend that reprocessing contracts with overseas customers should continue to contain such options, that the options should be exercised and that the wastes should be returned.

BNFL's overseas reprocessing contracts before 1976 did not contain such options. These contracts were signed with utilities in Canada, the Federal Republic of Germany, Italy, Japan, Spain, Sweden and Switzerland. The volume arising from each country is commercially confidential.

The total volumes of waste which are likely to arise from BNFL's pre-1976 contracts are:

	Cubic metres
High-level waste	100
Intermediate-level waste	3,000
Low-level waste	20,000

These wastes will represent only a small proportion of total wastes arising in the United Kingdom. They will be disposed of along with other United Kingdom waste but will not require extra disposal facilities to be provided here.

European Community (Energy Policy)

18. **Mr. Knox:** To ask the Secretary of State for Energy if he will make a statement on progress towards the development of a European Community energy policy; and if he will make a statement.

Mr. Parkinson *[pursuant to the reply 7 November 1988]:* Baroness Hooper, the Parliamentary Under-Secretary for Energy, and Sir David Hannay KCMG, permanent representative to the European Communities represented the United Kingdom at the Energy Council on 8 November 1988.

The Council adopted a recommendation on co-operation between public electricity supply companies and auto-producers using new and renewable and certain other sources of electricity. It agreed conclusions on the Commission's review of progress made by Member states against the 1995 Community energy objectives. On the Commission's internal energy market paper the Council agreed broad conclusions on an initial approach and also noted the Commission's programme to the end of 1989 on some priority areas. These three matters had been held over, since the Council had been unable to reach agreement at the last meeting in June because of policy considerations as reported by my right hon. Friend the Minister of State in his answer to the House on 20 June 1988 at column 411. Draft recommendations in the oil market and refinery sector were remitted to officials for further consideration.

EC (Local Government)

Mr. Redmond: To ask the Secretary of State for Energy (1) whether Her Majesty's Government will be carrying out opinion No. 138 (1988) based on the text adopted by

the Standing Committee of the Parliamentary Assembly of the Council of Europe on 30 June, which sets out the Parliamentary Assembly's views on resolutions adopted by the Standing Conference of Local and Regional Authorities of Europe in October 1987, and March 1988, in respect of the resolution on the European Charter of Local Self-Government and the European Communities;

(2) whether Her Majesty's Government will be carrying out opinion No. 138 (1988) based on the text adopted by the Standing Committee of the Parliamentary Assembly of the Council of Europe on 30 June which sets out the Parliamentary Assembly's views on resolutions adopted by the Standing Conference of Local and Regional Authorities of Europe in October 1987 and March 1988 in respect of the resolution on the structures, management and finance of rural authorities.

Mrs. Virginia Bottomley: I have been asked to reply.

Opinion No. 138 (1988) expressed the views of the Parliamentary Assembly of the Council of Europe on a number of resolutions adopted by the Standing Conference of Local and Regional Authorities of Europe. It is addressed to institutions of the Council of Europe and does not call for direct action by Her Majesty's Government.

SCOTLAND

Tourism

Mr. Fearn: To ask the Secretary of State for Scotland what selective investments in developments at seaside resorts in Scotland have been made from Government tourism finance; and how much.

Mr. Rifkind *[holding answer 7 November 1988]:* Since 1 April 1987, assistance offered by the Scottish tourist board and the Highlands and Islands Development Board to capital projects in seaside localities has totalled £3,634,443.

Rating Reform

Mr. John Marshall: To ask the Secretary of State for Scotland whether he intends to introduce legislation to provide that those individuals who consistently refuse to pay the community charge will be ineligible for election to the House of Commons or the European Parliament.

Mr. Rifkind: I have no plans to do so.

Mr. Cohen: To ask the Secretary of State for Scotland (1) whether he will introduce regulations to stop access to an extract of the community charge register by debt-collectors and mail order companies; and how he intends to protect the privacy of an individual when the extract of the register is available for public inspection for purposes not connected to the community charge;

(2) when he now proposes to introduce regulations to restrict the sale of an extract of the community charge register.

Mr. Rifkind: Under section 20(4) and (5) of the Abolition of Domestic Rates Etc. (Scotland) Act 1987, as amended by the Local Government Finance Act 1988, extracts from the community charges register consisting only of addresses and names (and in the case of certain collective community charge premises, the multiplier) will be prepared for public inspection on 1 April and 1 October each year, beginning in 1989. I have no plans to restrict the availability for inspection of these extracts. The 1987 Act as amended, however, no longer provides for the sale of such extracts.

Liver Transplants

Mr. Galbraith: To ask the Secretary of State for Scotland what discussions he is having concerning liver transplantation; and if he will make a statment.

Mr. Michael Forsyth: The National Specialist Services Advisory Committee has been asked to consider the matter and report in due course to me.

Single Parents

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland (1) if he will list in the *Official Report* the total amount of funding made available by Social Work Services Group to the Scottish Council for Single Parents in each of the past five years;

(2) What is the projected level of funding to be made available to the Scottish Council for Single Parents by Social Work Services Group in each of the next three financial years.

Mr. Michael Forsyth: Funding under section 9 of the Social Work (Scotland) Act 1968 (for training purposes) and under section 10(1) (for headquarters expenses) has been provided as follows:

	Section 9	*Section 10(1)*		*Total*
		Current	*Capital*	
	£	£	£	£
1984-85	15,164	23,475	5,872	44,511
1985-86	17,061	28,000	200	45,261
1986-87	18,245	29,950	—	48,195
1987-88	21,981	31,111	9,500	62,592
[1]1988-89	22,800	30,500	—	53,300

[1] Estimate.

It is not possible to indicate future levels of support at this stage.

Hospital Waiting Lists

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what additional funding has been made available by the Scottish Office to reduce waiting lists for cardiac surgery in the Grampian health board area following the announcement of 27 April that the cardiac surgery unit at Aberdeen royal infirmary was to be extended and centrally funded.

Mr. Michael Forsyth: An additional sum of £370,000 has been made available in 1988/89 to fund cardiac surgery operations at Aberdeen royal infirmary. Capital funding of £224,000 is also being provided.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Scotland what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Rifkind: The Scottish Office has a policy for the progressive conversion of its official car fleet. To date some

60 per cent. of our vehicles have been modified; we shall ensure that all new cars have engines which can use unleaded petrol.

Greater Glasgow Health Board (Catering)

Mr. Galbraith: To ask the Secretary of State for Scotland (1) on what date the details of the in-house bid for the catering contract at Greater Glasgow health board were first examined;

(2) on what date Greater Glasgow health board received the bids from *(a)* Sebhexo, *(b)* the in-house team; and *(c)* any other bidders for the catering contract at Glasgow royal infirmary;

(3) what information he has as to the purpose of the recent visit to Boston by the Greater Glasgow health board managers and as to who took part; and what companies or people they met.

Mr. Michael Forsyth: This information is not held centrally.

Water Pollution

Mr. Wray: To ask the Secretary of State for Scotland how many cases during each of the last nine years were found of contamination or pollution of water used by the whisky and other drink industries in Scotland.

Lord James Douglas-Hamilton: This information is not collected centrally in that form.

Mr. Wray: To ask the Secretary of State for Scotland which are the pollutants of drinking water in Scotland; and which are the sources of drinking water most affected.

Lord James Douglas-Hamilton: The quality of drinking water is regulated by EC directive 80/778/EEC which sets maximum (or minimum) admissible concentrations for about sixty substances in drinking water. The directive makes provision for departures from these standards.

Article 9 makes provision for derogations from the directive to take account of situations arising from the nature and structure of the ground of the supply source and from exceptional meteorological conditions. Such derogations may not relate to toxic or microbiological factors or constitute a public health hazard. In Scotland 148 supplies carry derogations mostly relating to colour, pH, iron or manganese.

Article 20 makes provision for a delay in complying with the directive's standards provided that an action programme and appropriate timetable to improve the quality of water are put forward. 154 supplies in Scotland are at present subject to delays in respect of aluminium, iron, manganese, lead and coliforms.

If the hon. Member is concerned about the quality of particular drinking water supplies, specified details can be given.

Housing (Public Expenditure)

Mr. Wray: To ask the Secretary of State for Scotland what is, for each year since 1974, the total amount of public money in 1988 moneys spent in Scotland on housing *(a)* maintenance, *(b)* repair and *(c)* building.

Lord James Douglas-Hamilton: This information is not readily available in the form requested.

Police (Video Surveillance Systems)

Mrs. Ann Taylor: To ask the Secretary of State for Scotland (1) how many police forces in Scotland have set up video surveillance systems to watch the general public; and, of those who have not, how many plan to do so;

(2) what research is currently being conducted into the effectiveness of video surveillance of the general public by the police forces in Scotland.

Lord James Douglas-Hamilton: The Scottish Home and Health Department's advice to chief constables is that visual surveillance equipment should be used only when essential for the efficient conduct of police operations. The use of such equipment is an operational matter for chief constables, and there is no central record of its use. No Scottish force has undertaken research on this matter.

VAT (Ancillary Service Contracts)

Mr. Galbraith: To ask the Secretary of State for Scotland whether health boards will have to pay value added tax on those contracts for ancillary services which, as a result of competitive tendering, have gone to private companies; and if he will make a statement.

Mr. Michael Forsyth: There are provisions allowing for the recovery of VAT in circumstances where boards would otherwise be penalised financially for putting services out to tender.

Mr. Galbraith: To ask the Secretary of State for Scotland what discussions he has had concerning the payment of value added tax on private contracts for the provision of National Health Service ancillary services; and if he will make a statement.

Mr. Michael Forsyth: VAT policy is a matter for my right hon. Friend the Chancellor of the Exchequer.

House Repossessions

Mr. Wray: To ask the Secretary of State for Scotland what information is available to him on the number of houses repossessed in Scotland for each year since 1974 by *(a)* building societies and *(b)* other mortgage lenders.

Lord James Douglas-Hamilton: The Building Societies Association publishes statistics on the number of repossessions by building societies in the United Kingdom as a whole. No corresponding information is available for Scotland only. No information is held centrally on other mortgage lenders.

Drug Addicts (Needles)

Mr. Gareth Wardell: To ask the Secretary of State for Scotland if he will publish in the *Official Report* a list of those centres which operate needle exchange schemes for drug addicts.

Mr. Michael Forsyth: Needle exchange schemes operated by health boards in Scotland are located at Ruchill hospital, Glasgow and Leith hospital, Edinburgh.

Education Records

Mr. Kirkwood: To ask the Secretary of State for Scotland whether the regulations which he intends to make

providing a right of access by parents and older pupils to education records will include the records maintained on pupils by the education welfare service of local education authorities.

Mr. Michael Forsyth: My right hon. and learned Friend will consider this in the light of responses to the consultation paper on access to school records which he will issue shortly.

Court Cases

Mr. Wallace: To ask the Secretary of State for Scotland whether his Department has any information of any case which was marked for no proceedings by reason of resources not being available to deal with them within the judicial system in any fiscaldom in Scotland between 1984 and 30 June 1988; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 11 November 1988]:* Some minor cases have been marked for no proceedings for this reason although no detailed analysis is available.

Royal Ordnance Centre, Clydebank Business Park

Mr. Worthington: To ask the Secretary of State for Scotland what assistance has been received from the Scottish Development Department by the royal ordnance centre in Clydebank business park.

Mr. Rifkind *[holding answer 7 November 1988]:* The centre received direct assistance in the form of regional development grant.

Private Medical Insurance

Mr. Fearn: To ask the Secretary of State for Scotland (1) if he will give the estimated number of people who have taken out private medical insurance in Scotland;

(2) if he will give the estimated number of persons, including dependants, in Scotland who have some form of private medical insurance through their employers.

Mr. Michael Forsyth *[holding answer 27 June 1988]:* It is estimated that 96,000 people (210,000 including dependants) in Scotland have some form of private medical insurance. Of the 96,000 subscribers, 60,000 hold medical insurance purchased through companies.

NORTHERN IRELAND

Abortion

Ms. Richardson: To ask the Secretary of State for Northern Ireland if in view of the recommendation in the recent independent report of the multidisciplinary committee, "The Nation's Health, A Strategy for the 1990s," he plans to seek to extend the Abortion Act 1967 to Northern Ireland; and if he will make a statement.

Mr. Needham: No. The Government believe that legislation to reform the abortion laws should not be introduced unless it is likely to command broad support in the Province. This policy has been followed by successive Governments and up to the present it has been concluded that support for a change in the law does not exist. The Government will keep the situation under review and will be prepared to modify their policy to take account of any significant shift in public opinion which may occur.

Government Departments (South Down)

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans have been made to decentralise Government Departments to South Down.

Mr. Ian Stewart: No plans have been made to decentralise Government Departments to South Down.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what representations he has received about decentralisation of Government Departments to South Down.

Mr. Ian Stewart: The hon. Member wrote to me on 27 July opposing the planned closure of the Downpatrick valuation and lands office in the South Down constituency, and advocating that public offices should be decentralised from the Greater Belfast area and from larger towns in Northern Ireland. I replied on 31 August.

Low Flying

Mr. McGrady: To ask the Secretary of State for Northern Ireland what representations he has received about low-flying military exercises in South Down.

Mr. Ian Stewart: Officials of my Department have recently received one complaint about the use of military helicopters in this area. This is under investigation.

Mr. McGrady: To ask the Secretary of State for Northern Ireland when he last met representatives of countryside and farming organisations to discuss the problems associated with low-flying military exercises in South Down.

Mr. Ian Stewart: My right hon. Friend has had no such meetings.

Sinn Fein Councillors (Protection)

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will call for a report from the chief constable of the Royal Ulster Constabulary as to what it has cost, from the last local government elections to the present date, to provide protection and escorts for Sinn Fein councillors before, during and after meetings of each council which has Sinn Fein members; and how many hours approximately of police time are taken up monthly by such duties in each council.

Mr. Ian Stewart: The information is not available in the form requested and could be obtained only at disproportionate cost.

School Meals

Mr. Battle: To ask the Secretary of State for Northern Ireland if he will publish a table showing how much expenditure on school meals has changed in cash and real terms each year between 1979 and the latest date available for Northern Ireland.

Dr. Mawhinney: Net expenditure on school meals and milk is as follows:

Financial year	*Cash*	*At 1987-88 prices*
	£000	*£000*
1979-80	19,670	34,537
1980-81	18,088	26,813
1981-82	17,381	23,455

Financial year	Cash £000	At 1987-88 prices £000
1982-83	19,152	24,121
1983-84	21,572	25,986
1984-85	22,417	25,704
1985-86	24,739	26,913
1986-87	25,580	26,929
1987-88	23,950	23,950

Note: Expenditure figures for school milk and meals are not recorded separately.

Compensation

Mr. McCusker: To ask the Secretary of State for Northern Ireland how many compensatory claims under *(a)* the Criminal Injuries (Compensation) (N.I.) Order 1977 and *(b)* the Criminal Damage (Compensation) (N.I.) Order 1977 have been refused by the operation of articles 6(3)B and 10(3), respectively.

Mr. Ian Stewart: The information is available only in respect of compensation refused under article 6(3) of the Criminal Injuries (Compensation) (N.I.) Order 1977 and is as follows:

	Number
Number of claims refused	331
Number of appeals against refusal	220
Number of appeals withdrawn	44
Outcome of appeals pursued	
Settled without court hearing	30
Court awards	8
Appeals dismissed	43
Appeals pending	75

Note:

1. No breakdown is possible between claims refused under article 6(3)(a) and article 6(3)(b) of the Criminal Injuries (Compensation) (N.I.) Order 1977.
2. The numbers shown in the table may include claims in which there were additional grounds for refusal.

Records are not maintained of claims refused under article 10(3) of the Criminal Damage (Compensation) (N.I.) Order 1977.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Northern Ireland what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Ian Stewart: I shall write to my hon. Friend.

Social Security Benefits

Mr. Marlow: To ask the Secretary of State for Northern Ireland what evidence he has of Irish citizens from the Irish Republic crossing the border to claim social security benefits in Northern Ireland.

Mr. Needham: I shall write to my hon. Friend.

Liverpool

Mr. Parry: To ask the Secretary of State for Northern Ireland if he will make a statement on his recent visit to Liverpool.

Mr. Tom King: I shall write to the hon. Member.

Stolen Weapons

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) how many weapons were stolen in Northern Ireland in 1987 and 1988; whether these were stolen from the Royal Ulster Constabulary, the Ulster Defence Regiment, the Army or private citizens; and whether the weapons were bullet-firing, shotguns, air weapons or others;

(2) how many legally held firearms were stolen in Northern Ireland during the current year from (i) Royal Ulster Constabulary/Royal Ulster Constabulary Reserve and Special Constabulary sources, (ii) Ulster Defence Regiment sources, (iii) British Army sources and (iv) civilians; and if he will give a breakdown of weapons stolen as *(a)* bullet firing, *(b)* shotguns and *(c)* air weapons and miscellaneous, including blank firing weapons, muzzle-loading weapons and antique weapons.

Mr. Ian Stewart *[holding answer 1 November 1988]:* The information is as follows:

	RUC/ RUCR	UDR	Regular Army	Civilians
Bullet firing				
1987	10	178	0	35
1988[1]	7	0	3	15
Shotguns				
1987	0	0	0	91
1988[1]	0	0	0	49
Air weapons/ Miscellaneous				
1987	0	4	0	14
1988[1]	0	0	0	9

Notes:

(i) Ulster Special Constabulary was disbanded in 1970
(ii) [1] To 24 October 1988.

Terrorism

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many persons were detained under Emergency Provisions (Northern Ireland) Acts 1973 and 1978 in the first nine months of 1988; and how many of these persons were subsequently charged with *(a)* scheduled offences and *(b)* non-scheduled offences.

Mr. Ian Stewart *[holding answer 1 November 1988]:* During the first nine months of 1988, 50 persons were arrested by the Army under section 14 of the Northern Ireland (Emergency Provisions) Act 1978. One of these persons was subsequently rearrested by the police under the Prevention of Terrorism (Temporary Provisions) Act 1984 and was charged with scheduled offences. Statistics are not available to show the number of persons who were released without charge or were subsequently rearrested by the police under other powers. One person was arrested under section 13 of the Northern Ireland (Emergency Provisions) Act 1978 and was released without charge.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many persons were detained in connection with terrorist-type offences under Acts other than the Prevention of Terrorism (Temporary Provisions) Acts and the Emergency Provisions (Northern Ireland) Acts in the current year.

Mr. Ian Stewart *[holding answer 1 November 1988]:* This information is not available from existing records without incurring disproportionate cost.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will give separately for magistrates' courts and crown courts for 1986, 1987 and the first six months of 1988, the number of cases involving non-scheduled offences in which pleas of not guilty were entered; in how many of these cases verdicts of not guilty were returned; and in how many of these cases trial was by jury.

Mr. Ian Stewart *[holding answer 1 November 1988]:* The information in respect of persons proceeded against for non-scheduled offences is as follows:

	Magistrates court		*Crown court*	
	Pleaded not guilty	*Found not guilty*	*Pleaded not guilty*	*Found not guilty*
1986	4,239	2,710	162	85
1987	4,797	3,159	154	75
[1]1988	2,661	1,712	107	51

[1] All cases in the Crown court were heard before a jury.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many persons were charged with non-scheduled offences; how many were charged with scheduled offences; and how many persons were found not guilty of all or some of the offences with which they were charged in the first half of the current year.

Mr. Ian Stewart *[holding answer 1 November 1988]:* Statistics are not available in the precise form requested. In the first six months of this year 557 persons were tried in the crown court for non-scheduled offences of whom 107 pleaded not guilty and 51 were found not guilty and 337 persons were tried for scheduled offences of whom 43 pleaded not guilty and 19 were found not guilty.

Plastic Bullets

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many formal complaints have been made about incidents of police use of plastic baton rounds in the first nine months of the current year; in how many cases the complaint has been upheld; and in how many cases disciplinary action has been taken against the officers involved.

Mr. Ian Stewart *[holding answer 1 November 1988]:* Between 1 January and 30 September this year, two formal complaints were made about the use of plastic baton rounds by the RUC. The police report on one of the cases has been sent to the Director of Public Prosecutions and currently awaits his decision. The other complaint is still under investigation.

Manufacturing Investment

Mr. Mallon: To ask the Secretary of State for Northern Ireland what is the latest figure for manufacturing investment in Northern Ireland, and if he will make a statement.

Mr. Ian Stewart *[holding answer 1 November 1988]:* The latest year for which complete data are available is 1982. Investment in vehicles, plant and machinery and new buildings and works in Northern Ireland amounted to £151·3 million in manufacturing industries. Other forms of investment, such as purchase of intangibles like patents, copyrights and licences are excluded. Further data will be published in the Northern Ireland "Annual Abstract of Statistics" as they become available.

Fugitive Offenders

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will itemise the ways in which the rules of evidence and court procedure in the Republic of Ireland make it difficult to use the Criminal Law (Jurisdiction) Act 1975 and its Irish counterpart, the Criminal Law (Jurisdiction) Act 1976, to have fugitive offenders tried in the Republic of Ireland, rather than seek their extradition.

Mr. Ian Stewart *[holding answer 4 November 1988]:* I have nothing to add to my reply of 27 October. Since each case is different and gives rise to different considerations it is impossible to provide an itemised list.

Disabled People

Mr. Alfred Morris: To ask the Secretary of State for Northern Ireland if he will make a statement on his policy with regard to the proposal from the Northern Ireland Council on Disability that a working group be established representing all Government Departments with an interest in the second action programme for disabled people and the voluntary sector, to co-ordinate and represent the interests of Northern Ireland.

Mr. Needham *[holding answer 7 November 1988]:* A working group of officials representing all Northern Ireland Departments with an interest in the second action programme for disabled people (the Helios programme) has already been established. This group will be represented at national discussions on issues arising from the programme. The question of the inclusion of voluntary sector representatives in both a national co-ordinating committee and the Northern Ireland working group is currently under consideration.

SOCIAL SECURITY

Benefits and Income Support

11. **Mrs. Clwyd:** To ask the Secretary of State for Social Security how many people were in receipt of supplementary benefit in 1987-88; and how many people are currently in receipt of income support.

12. **Mr. Pike:** To ask the Secretary of State for Social Security how many people were in receipt of supplementary benefit in 1987-88; and how many people are currently in receipt of income support.

13. **Mr. Alan W. Williams:** To ask the Secretary of State for Social Security how many people were in receipt of supplementary benefit in 1987-88; and how many people are currently in receipt of income support.

Mr. Scott: A total of 5·1 million people were receiving supplementary benefit on 31 July 1987; and 4·5 million were receiving income support on 31 August 1988.

Mr. Fearn: To ask the Secretary of State for Social Security if he will publish a table showing for each month

from April 1987 to April 1988 how many people made an application for supplementary benefit/income support and how many people received it.

Mr. Peter Lloyd: The available information appears in the table.

Supplementary benefit/income support claims and awards: Great Britain

	Total claims (thousands)	*Benefit awarded (thousands)*
1987-88		
April	377	265
May	374	269
June	416	304
July	616	483
August	487	369
September	554	430
October	500	371
November	417	299
December	368	263
January	390	281
February	404	279
March	417	273
TOTAL	5,320	3,886
1988-89		
April	284	207
May	285	215
June	334	258
July	419	350
August	371	298
September	354	293

Notes:

1. Information for claims made in October 1988, and in subsequent months, will not be available until four weeks after the relevant month.
2. Data for April 1988 include Supplementary Benefit claims cleared before the start of Income Support on 11 April.
3. The table does not include the 232,000 Supplementary Benefit Claims outstanding at 11 April and cleared subsequently.

59. **Mr. Ray Powell:** To ask the Secretary of State for Social Security how many applications have been made by 16 and 17-year-olds to be granted income support on grounds of severe hardship.

Mr. Peter Lloyd: During the eight-week period since general entitlement to income support was withdrawn from 16 and 17-year-olds, 943 applications for a direction by the Secretary of State under the severe hardship provision have been received. In 607 cases (64 per cent.) a direction was given to enable payment to be made and in 336 cases (46 per cent.) a direction was refused.

Mrs. Beckett: To ask the Secretary of State for Social Security how and why the income support personal allowance differs from the illustrative rates in the technical annex to "Reform of Social Security" (Cmnd. 9691), uprated to take account of changes in the Rossi price index for the periods taken into account in the 1986, 1987 and 1988 benefit upratings and increased in respect of the 20 per cent. rates contribution.

Mr. Peter Lloyd: The income support personal allowances quoted in the technical annex to "Reform of Social Security" (Cmnd. 9691) were for illustrative purposes only. Comparisons between those and the rates of income support are not, therefore, appropriate.

War Widows and Pensions

14. **Mr. Wallace:** To ask the Secretary of State for Social Security when he last met representatives of war widows and pensioners; and what matters were discussed.

Mr. Peter Lloyd: My right hon. Friend discussed a wide range of matters with representatives of war pensioners and widows at a reception given for them on 21 September. My noble Friend, who has special responsibility for war pensions, meets representatives of war pensioners and widows regularly to discuss matters of concern to them.

21. **Mr. Kirkwood:** To ask the Secretary of State for Social Security what recent representations he has received on behalf of war widows and pensioners.

Mr. Peter Lloyd: My right hon. Friend has received a number of representations, mainly about the position of war widows who do not receive a pension under the Armed Forces pension scheme administered by the Ministry of Defence.

Severe Disablement Allowance

15. **Ms. Quin:** To ask the Secretary of State for Social Security if he has received any representations about the severe disablement allowance.

Mr. Scott: We have received a number of representations on individual claims.

Family Credit

16. **Mr. Barry Field:** To ask the Secretary of State for Social Security what are the latest figures for the number of single parent families in receipt of family credit.

Mr. Peter Lloyd: I am pleased to tell my hon. Friend that we expect this information to be available early next year.

28. **Mr. Chris Smith:** To ask the Secretary of State for Social Security what are the latest figures for the take-up of family credit.

31. **Mr. Kennedy:** To ask the Secretary of State for Social Security what is the latest estimate of the level of take-up of family credit; and if he will make a statement.

33. **Mr. McCartney:** To ask the Secretary of State for Social Security what are the latest figures for the take-up of family credit.

37. **Mr. Morgan:** To ask the Secretary of State for Social Security what are the latest figures for the take-up of family credit.

57. **Mr. Randall:** To ask the Secretary of State for Social Security what are the latest figures for the take-up of family credit.

Mr. Peter Lloyd: I refer the hon. Members to the reply given by my right hon. Friend to the hon. Member for Birkenhead (Mr. Field) earlier today.

Office Closures

17. **Mr. Tony Banks:** To ask the Secretary of State for Social Security how many local benefit offices in London are due for closure in the next 12 months.

Mr. Peter Lloyd: None.

34. **Ms. Abbott:** To ask the Secretary of State for Social Security in what ways the planned closure of 20 of his Department's offices, including the Finsbury Park office, will improve the quality of service; and if he will make a statement.

Mr. Peter Lloyd: There are no plans to close 20 DSS offices in London but some will be replaced with improved premises, including Finsbury Park office.

Social Fund

Mr. Wareing: To ask the Secretary of State for Social Security if he intends to increase the social fund budget in line with inflation.

20. **Mr. Dunnachie:** To ask the Secretary of State for Social Security if he intends to increase the social fund in line with inflation.

Mr. Scott: The total sum available for payments from the social fund in 1989-90 will be the same as for 1988-89. The budget for community care grants will be £60 million and the gross budget for loans will be £143 million.

19. **Mr. Fearn:** To ask the Secretary of State for Social Security if he will make a statement on the operation of the social fund.

Mr. Scott: My hon. Friend the Parliamentary Under-Secretary of State made a full statement in reply to my hon. Friend the Member for Norfolk North, (Mr. Howell) on 9 November at columns *223-4*.

Efficiency Measures

22. **Mr. Knapman:** To ask the Secretary of State for Social Security what action the Government are taking to increase the efficiency of the social security system.

Mr. Scott: We are making very good progress in improving the efficiency and effectiveness of the social security system. The new benefits we brought in in April have simplified the system and made it easier to understand, both for claimants and for staff. As a result fewer people are finding it necessary to visit their local social security offices and the time taken to clear benefit claims has been reduced, from a national average of six days for the last year of supplementary benefit to five days for the first six months of income support. Similarly, national error rates have also improved from 11·6 per cent. to 9·7 per cent. We recognise that further progress still needs to be made and to help with this we are setting improved targets and standards of service. For example, a comprehensive system of quality assessment of local office contacts with the public has been developed.

These changes are complemented by our huge computerisation programme which is transforming the administration of social security, bringing major benefits for the taxpayer and all who use the social security system. Following the successful computerisation of the family credit system in April, trials of the initial version of the new pensions system and the central index system are now under way in the first local offices. A new microcomputer-based system has also recently been brought into operation for the retirement pension forecast service, providing a quick, personalised reply to most inquiries. The public reaction to this has been overwhelmingly favourable. We are also taking further steps to provide a better and more efficient service to the public by relocating some work away from some of our most hard-pressed local offices. I have also asked officials to advise whether social security operations could with advantage be run as a next steps agency or agencies and to report by the end of the year. There is also an active, and ongoing, programme of efficiency scrutinies which has today yielded savings of over £80 million and over 4,000 posts.

Our staff are themselves taking an active part in helping to improve efficiency, by making increasing use of the Department's suggestions scheme which has saved at least £5 million this year alone.

Invalidity Benefit

23. **Mr. Cousins:** To ask the Secretary of State for Social Security what information he has about the take-up of invalidity benefit amongst patients discharged from long-stay hospitals.

Mr. Scott: No such information is held, but there is no evidence to suggest that former patients in long-stay hospitals with a contributory benefit entitlement fail to receive the full invalidity benefit due to them on discharge.

Cold Weather Payments

24. **Mr. Wigley:** To ask the Secretary of State for Social Security what representations he has received concerning his Department's arrangements for cold weather payments; and if he will make a statement.

Mr. Peter Lloyd: I have received no recent representations. I would like to remind the hon. Member about the significant improvements to the cold weather payments scheme announced on 3 November 1988 in my reply to my hon. Friend the Member for York (Mr. Gregory) at column *752*. First, eligibility was extended to families on income support with a child under age five rather than under age two. Secondly, the rules for measuring periods of cold weather were altered so that any spell of seven consecutive days when the temperature averages 0 C or below will trigger a payment.

These changes roughly double the potential for making cold weather payments and are in addition to the improvements announced on 7 October whereby, for the first time, eligibility was extended to income support pensioners age 60 to 64 and non-householders receiving income support who fall into the eligible categories.

Child Benefit

25. **Mr. Nellist:** To ask the Secretary of State for Social Security what would be the value, in 1988 prices, of the child benefit allowance, had it since its inception been increased annually by the equivalent of the rise in the value of *(a)* the retail prices index, and *(b)* average earnings.

Mr. Peter Lloyd: Child benefit was phased in between April 1977 and April 1979. Taking the April 1979 rate of £4 per child, the value at April 1988 would have been *(a)* £7·79, based on the general index of retail prices and *(b)* £9·64, based on the index of average earnings: whole economy (seasonally adjusted).

26. **Mr. Allen Adams:** To ask the Secretary of State for Social Security if he will make it his policy to publish a long-term strategy for child benefit.

Mr. Moore: I refer the hon. Member to the reply I gave to the hon. Member for Ashfield (Mr. Haynes) earlier today.

55. **Mr. Simon Hughes:** To ask the Secretary of State for Social Security what recent representations he has received concerning the level of child benefit.

Mr. Peter Lloyd: We received a number of representations from organisations and individuals about child benefit in anticipation of the annual review of social security benefit rates.

58. **Mr. Knox:** To ask the Secretary of State for Social Security what is the percentage take-up of child benefit.

Mr. Peter Lloyd: 98 per cent.

Mr. Frank Field: To ask the Secretary of State for Social Security what would be the cost of *(a)* doubling child benefit and *(b)* doubling the benefit and making it taxable.

Mr. Peter Lloyd *[holding answer 7 November]:* I refer the hon. Member to my reply to the hon. Member for Great Grimsby (Mr. Mitchell) today. The reply to this question provides broadly similar information.

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is his estimate of the gross cost of raising child benefit to £20 for the first and £15 for subsequent children, the net cost after making the benefit taxable, and the saving in each of the other allowances for children on the assumption that these are reduced by *(a)* 50 per cent. and *(b)* 100 per cent. of the increase in child benefit.

Mr. Peter Lloyd *[holding answer 9 November 1988]:* Raising the weekly value of child benefit to £20 for the first child and £15 for subsequent children might increase gross annual expenditure by £6·6 billion at 1988-89 prices. Increased income tax revenue and reduced expenditure on the main income-related benefits might imply a net cost of £2·8 billion. The additional net saving, if the child dependancy increases to the national insurance benefits were reduced by 50 per cent. of the increase in child benefit, might be of the order of £40-£45 million. If child allowances were reduced by 100 per cent. of the child benefit increase, the net extra saving might be around £70 million.

Benefits (Uprating)

27. **Ms. Mowlam:** To ask the Secretary of State for Social Security what representations he has received on the recent uprating of social security benefits.

Mr. Peter Lloyd: We receive a variety of representations on many issues concerning the uprating of social security benefits.

Social Fund

29. **Mr. Eastham:** To ask the Secretary of State for Social Security if he intends to increase the social fund budget in line with inflation.

39. **Mr. Wilson:** To ask the Secretary of State for Social Security if he intends to increase the social fund budget in line with inflation.

43. **Mr. Boyes:** To ask the Secretary of State for Social Security if he intends to increase the social fund budget in line with inflation.

Mr. Peter Lloyd: I refer the hon. Members to my reply to my hon. Friend the Member for Stockport (Mr. Favell) on 3 November at column *752*.

Social Fund

30. **Mr. Boswell:** To ask the Secretary of State for Social Security what proportion of social fund benefits to date has been used.

Mr. Peter Lloyd: As at 30 September 1988 gross expenditure on the discretionary part of the social fund was 34 per cent. of the budget for budgeting loans and crisis loans and 18·5 per cent. of the budget for community care grants.

Mrs. Beckett: To ask the Secretary of State for Social Security whether he will list in the *Official Report* the reallocations of local office social fund budgets that have taken place since the budgets were announced on 4 November 1987 and the periods to which the reallocated budgets relate.

Mr. Peter Lloyd: The following changes to local office social fund budget allocations for 1988-89 have been announced since 4 November 1987.

Local office	*Grants Budget* £	*Loans Budget* £	*Effective From*
Dunstable	39,269	90,778	11 April 1988
Glasgow Provan	447,797	1,059,669	11 April 1988
Liverpool Edgehill	258,534	714,113	11 April 1988
Liverpool West Derby	70,780	167,504	11 April 1988
Wrexham	146,288	340,749	1 May 1988
Rhyl	109,152	251,676	1 May 1988
Deeside	53,752	126,939	23 May 1988
Oxford	197,597	461,194	1 July 1988
Newbury	34,902	80,251	1 July 1988
City of London	27,206	73,746	1 November 1988
Westminster	71,429	169,017	1 November 1988
Bloomsbury	92,343	208,526	1 November 1988
Liverpool Edgehill	No change	664,113	1 November 1988

Occupational Pensions

32. **Mr. Riddick:** To ask the Secretary of State for Social Security what steps he has taken to encourage people to make greater provisions for their old age through occupational pensions.

Mr. Peter Lloyd: Since October 1987 everyone in an employer's pension scheme has been able to pay extra contributions to a separate pension plan of their own. From April this year all employers' schemes have to accept extra contributions from members who wish to make them. Employers who want to provide a contract-out pension scheme can now choose between a salary-related scheme, where the rules have been simplified, and a money purchase scheme where employers wish to keep their pension commitment to a known level. This will also encourage employers to come together and set up industry-wide schemes. In addition, a special incentive payment worth an extra 2 per cent. of that part of the employee's earnings on which national insurance contributions are paid at the lower contracted-out rate, is payable until 1993 for both money purchase and salary-related schemes.

Mr. Conway: To ask the Secretary of State for Social Security what action the Government have taken to encourage employers to set up occupational pension schemes.

Mr. Peter Lloyd: Since April employers have been able to use a money purchase scheme for contracting out of SERPS, thereby keeping their pension commitments to a known level. As further encouragement, the 2 per cent. special incentive payments will be made to new occupational pension schemes, both salary-related or money purchase, which have been set up for the first time since 1 January 1986. These payments will be made until April 1993. Some 5,000 new contracted-out money purchase schemes have already been set up since April.

Income Support

35. **Mr. Livingstone:** To ask the Secretary of State for Social Security if he will make a statement on the number of persons claiming income support in the Brent area.

Mr. Peter Lloyd: The London borough of Brent is served by the Cricklewood, Neasden, Harlesden, Hendon, Harrow, Edgware, Notting Hill and Ealing local offices of the Department although the boundaries are not conterminous. The total number of persons claiming income support in these offices as at 31 August 1988, the latest information available, is 79,566.

[Source: 100 per cent. count of cases in action, which may include a small number of cases not actually in receipt of income support. This figure is provisional and subject to amendment.)

Independent Living Fund

36. **Mr. Win Griffiths:** To ask the Secretary of State for Social Security how many claims have been made for assistance from the independent living fund; and how many payments have so far been made.

48. **Mr. Rogers:** To ask the Secretary of State for Social Security how many claims have been made for assistance from the independent living fund; and how many payments have so far been made.

Mr. Scott: As of 8 November 1988 the fund had received 2,203 applications. Some 123 awards were in payment and a further 134 offers had been made to applicants. Some 1,380 applications were in the course of assessment by the fund's office and its visiting social workers.

Stutterers (Telephone Bills)

38. **Mr. Harry Greenway:** To ask the Secretary of State for Social Security if he will arrange for assistance to be given to stutterers with their telephone bills; and if he will make a statement.

Mr. Scott: It is the responsibility of individual local authorities to decide whether they need to provide assistance to disabled people living within their area for the costs of installation and rental of a telephone.

Housing Benefit

40. **Mr. Butler:** To ask the Secretary of State for Social Security if he will review the operation of housing benefit as it affects single parents.

Mr. Peter Lloyd: The Government have announced that they will monitor the effects of the recent social security reforms and monitoring the operation of the new housing benefit scheme is part of that exercise. However, the new scheme does already recognise the specific needs of lone parents through the premium and disregard structure and by the fact that the system gives more help than the old where rents are unavoidably high. The effect of the new system on individuals will vary widely, but transitional protection is available for lone parents where they saw a sharp drop in their benefit at the point of change in April.

Mr. Cartwright: To ask the Secretary of State for Social Security (1) what steps he is taking to clear the backlog of outstanding applications for transitional housing benefit payments;

(2) how many applications for transitional housing benefit assistance have been received; how many have been approved; and how many were still outstanding at the most recent convenient date.

Mr. Peter Lloyd: The transitional payments unit has received 370,138 applications up to 8 November. Of this total 128,529 have been assessed as successful for payment and 117,818 applications are outstanding; 91,447 of these on 8 November are waiting on the return of inquiry forms from local authorities. The transitional payments unit is writing to or telephoning local authorities in all cases where inquiry forms should have been returned by October.

Mr. Cartwright: To ask the Secretary of State for Social Security (1) when an application for transitional housing benefit payments was received from Mrs. Irene Towndrow of 108 John Wilson street, SE18; why it has been delayed; and when it will be processed;

(2) when an application for transitional housing benefit payments was received from Mrs. M. Dales of 6 Queensborough House, Felixstowe road SE2; why it has been delayed; and when it will be processed.

Mr. Peter Lloyd: Mrs. Towndrow's application was received on 11 July and Mrs. Dale's on 21 June. The delay in these cases has been caused by the local authority's

failure to return the inquiry forms issued by the transitional payments unit. The applications were processed on 10 November when the unit obtained the necessary information by telephoning the London borough of Greenwich.

Mr. Cartwright: To ask the Secretary of State for Social Security when an application for transitional housing benefit payments was received from Mrs. E. Braithwaite of 29 Marshall Path SE28; why it has been delayed; and when it will be processed.

Mr. Peter Lloyd: Mrs. Braithwaite's application was received on 13 June. The delay in this case was caused by a delay in the local authority referring the inquiry form to the agency which administers housing benefit for its private sector tenants. The application was processed on 7 November.

Mr. Cartwright: To ask the Secretary of State for Social Security when an application for transitional housing benefit payments was received from Mrs. Preates of 46 Malthus Path SE28; why it has been delayed; and when it will be processed.

Mr. Peter Lloyd: Mrs. Preates' application was received on 13 June. In this case the inquiry form, issued by the transitional payments unit on 7 July was sent to the wrong local authority. It was redirected to the correct local authority on 7 September but was not returned until 10 November because of a delay in the local authority referring the inquiry form to the agency which administers housing benefit for its private sector tenants.

The application was processed on 10 November.

Mr. Robin Cook: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Members for Pembroke (Mr. Bennett), for Livingston (Mr. Cook) and for Lewisham, Deptford (Ms. Ruddock) of 7 November, on what basis the estimate was given in a written answer to the hon. Member of Wyre Forest (Mr. Coombs) of 16 June, *Official Report*, column 280 that some 350,000 people could benefit from the housing benefit transitional payments.

Mr. Nicholas Scott: The original published estimates for the number of possible beneficiaries from the transitional payments scheme were derived mainly from the same model that produced the tables in the "Impact of the Reformed Structure of the Income Related Benefits", published in October last year, and assumed that all those entitled would claim. To the extent that they were an over-estimate this could be due to a number of factors such as improved employment opportunities and an actual take-up rate of less than 100 per cent.

Mr. Robin Cook: To ask the Secretary of State for Social Security what has been the average value of payments made by the housing benefit transitional payments unit.

Mr. Scott: Of the housing benefit transitional payments made to date the average weekly value is a little over £4.

Mr. Robin Cook: To ask the Secretary of State for Social Security what proportion of applications to the housing benefit transitional payments unit have been assessed as ineligible for payment.

Mr. Scott: Of the 370,138 applications received at the transitional payments unit 252,320 have so far been processed. Up until 8 November 123,791 cases had been assessed as ineligible for payment.

Mr. Robin Cook: To ask the Secretary of State for Social Security if he will place in the Library the housing benefit expenditure returns from local authorities.

Mr. Scott: I have placed in the Library local authorities' latest estimates of their housing benefit expenditure for 1987-88 and 1988-89.

Personal Pensions

41. **Mr. Bright:** To ask the Secretary of State for Social Security what incentives are being provided for people to take out personal pensions.

Mr. Peter Lloyd: The Department will pay for people who take out personal pensions "minimum contributions", which are made up of a partial rebate of national insurance contributions and, until April 1993, a special incentive payment. In most cases the payments by the Department will include tax relief on the employee's share of the minimum contribution. People taking out a personal pension before 6 April 1989 will be able to backdate membership to 6 April 1987 and claim an extra year's minimum contributions, including the incentive.

Benefits (Computerisation)

42. **Mr. Ian Bruce:** To ask the Secretary of State for Social Security what progress has been made on the computerisation of the benefits system.

Mr. Peter Lloyd: We have made very good progress over the last year with the operational strategy, our programme to computerise the administration of social security benefits. After several years of intense groundwork this ambitious programme is now coming to fruition. Implementation of the first systems is now beginning and over the next few years they will transform social security operations, bringing substantial benefits to taxpayers and clients alike.

The major achievements of the last year have been:—

(a) the development of new systems, based on the microcomputers already installed in local offices, to help administer income support and the social fund;

(b) the development and implementation of a wholly new mainframe computer system to administer the new family credit. This success is particularly significant since the system was built to full operational strategy standards in face of an ambitious timetable and is now proving technically first-rate. It is the first system automatically to assess claims, issue payments, keep records and provide direct "on-line" access for staff enabling them to deal rapidly with inquiries;

(c) the completion of phased implementation of the terminal replacement and inquiry service project which provides unemployment benefit offices with direct access to computer records for inquiry and update purposes. TRES is now working in all unemployment benefit offices and has brought major improvements in efficiency, service to the public and job satisfaction for staff. Work is now under way on the project to replace the existing national unemployment benefit system with an upgraded system built to operational strategy standards;

(d) the implementation last month in the first two pilot local offices of the departmental central index and an early version of the new pensions system. The DCI provides a central index of all clients and represents

the first step towards the "whole person" approach whereby each clerk will be able to deal with all aspects of an individual client's social security business. The pensions system currently being piloted is the forerunner of a larger system which will automate the assessment and payment of pensions and provide staff with direct access for inquiries;

(e) the completion of the bulk of design, programming and initial testing on the local office project which will provide assessment, payment, record-keeping and inquiry services for staff dealing with income support. The system is currently undergoing final testing before beginning live operations in the first pilot offices at the end of February 1989.

The new pensions, DCI and LOP systems will be run in a number of pilot local offices in Scotland and the north-west until next autumn. During this period they will be monitored and evaluated before they are gradually extended to all local offices during the period 1989-92. Overall, the implementation of the operational strategy will represent one of the most radical improvements in the history of social security.

Mr. Terry Fields: To ask the Secretary of State for Social Security when he last discussed with trades unions representatives of social security staff the question of computerisation within his Department's offices and the resolution of any problems associated with changed work practices; if he will take steps to ensure that evaluation will have a scientific basis and that the system will not mean any deterioration of service to the public or conditions of staff; and if he will ensure that any trials of computers in local offices are done over an acceptable period of time after consultation with representative organisations.

Mr. Peter Lloyd: The Department is currently engaged in a large-scale computerisation programme designed to transform the administration of social security. The primary objectives of the programme are to improve service to the public, provide more satisfying jobs for our staff and to reduce administrative costs by improving efficiency. This programme has been discussed with trade union representatives throughout its development and these discussions, which include issues associated with changes in working practices, are continuing on a regular monthly basis. The new computer systems are being extensively tested prior to their release and are then being run in a limited number of pilot offices prior to national implementation. This period of pilot running began last month and will continue until the middle of next year. During this period we will be carefully monitoring and evaluating the systems using an objective evaluation package which is currently being developed.

Among the criteria covered will be the need to maintain standards of service to the public.

Retirement Provision

44. **Mr. David Martin:** To ask the Secretary of State for Social Security what new choices his Department has now made available for people to provide for their own retirement.

Mr. Peter Lloyd: Instead of remaining in SERPS or in an employer's pension scheme, employees are now able to choose their own personal pension scheme. For those who are in an employer's scheme there is the opportunity to make extra contributions to a separate pension plan of their own (a freestanding additional voluntary contribution), or to make such contributions to an employer's scheme, which is obliged to accept them. We have also made it easier for employers to set up pensions schemes for their employees, including a new money purchase scheme.

Community Care

45. **Mr. Allen McKay:** To ask the Secretary of State for Social Security when he intends making a statement on his policy on the social security implications of community care.

Mr. Scott: The social security implications of community care policies are being taken into account as part of the Government's consideration of the recommendations in Sir Roy Griffiths' review of community care.

Mrs. Beckett: To ask the Secretary of State for Social Security if he will ensure that, when the community care grants awarded in a month, shown in the tables placed in the Library, are deducted from the outstanding budget balances at the end of the previous month, the result is the same as the outstanding balance at the end of the month in question; and why this had not been the case to date.

Mr. Peter Lloyd: The outstanding balance at the end of a particular month will frequently not be equal to the outstanding balance at the end of the preceding month after deducting the amount of awards made in the month in question. That is because the outstanding balance figure takes account not only of awards made in the month but also of awards which have been cancelled or returned and of additional amounts paid following a review. I shall ensure that this is made clear when the tables for October are placed in the Library.

Claimants

46. **Mr. Harris:** To ask the Secretary of State for Social Security what special arrangements are made for social security claimants who move around the country in convoys.

Mr. Peter Lloyd: People who move around the country in convoys may be claiming any one or more of a number of social security benefits. Special arrangements are occasionally made to deal with their claims for income support and unemployment benefits.

Those who claim income support and/or unemployment benefit are bound by the same rules as other claimants, one of which is that they must either be available and registered for work at an unemployment benefit office or be sick or otherwise not required to register as unemployed.

When claimants from a convoy arrive at a local DSS office the manager may request the help of a small mobile regional team to deal with the claims. Usually staff from the local unemployment benefit office attend the DSS office in order to speed the process of the convoy claimants registering for work and claiming income support and unemployment benefit. Such extra help is instrumental in minimising the disruption to claimants who live in the area and use the local DSS and unemployment benefit offices. It also enables the convoy claimants to be dealt with swiftly and with due regard to the propriety of their claims.

Pensioners (Income)

Mr. Andrew Mitchell: To ask the Secretary of State for Social Security what was the average income of a single pensioner in 1979 and 1986.

Mr. Peter Lloyd: The average total net income of a single pensioner in 1979 was £55·42 (at 1986 prices) rising to £69·73 in 1986. These figures represent an increase in real terms of 25·8 per cent.

52. **Mr. Patnick:** To ask the Secretary of State for Social Security what was the average income of a pensioner couple in 1979 and 1986.

Mr. Peter Lloyd: The average total net income of a pensioner couple in 1979 was £103·09 (at 1986 prices) rising to £123·76 in 1986. These figures represent an increase in real terms of 20·1 per cent.

Benefits System

49. **Mr. David Nicholson:** To ask the Secretary of State for Social Security what progress has been made in making the benefits system easier for the public to understand and for his Department's staff to administer.

Mr. Peter Lloyd: One of the main aims of the social security reforms introduced in April of this year is to simplify the income-related benefit system both for the public and for staff. The previous benefits were based on independent, and often conflicting, rather than complementary principles. The new benefits structure is more coherent and comprehensible. Income support is based on a simple system of personal allowances, topped up with special premiums for those in a number of priority groups. The premiums provide automatic extra help to these groups and avoid the necessity for intrusive questioning which many seeking additional help found distasteful. The rules for income support form the basis of the rules for both housing benefit and for family credit.

Through the Department's communications strategy, benefit leaflets have been redesigned to make them more easily understood. They now describe benefits and the claims procedure in a clearer and more straightforward manner. Some leaflets are also available in translation for ethnic minority groups.

50. **Mr. Fisher:** To ask the Secretary of State for Social Security how many people were in receipt of supplementary benefit in 1987-88; and how many people are currently in receipt of income support.

Mr. Scott: I refer the hon. Member to my reply earlier today to the hon. Members for Cynon Valley (Mrs. Clwyd), Burnley (Mr. Pike) and Carmarthen (Mr. Williams).

Benefits (Take-up)

51. **Mr. Yeo:** To ask the Secretary of State for Social Security what representations he has received regarding changes in the level of take-up of benefits since April.

Mr. Peter Lloyd: We receive a variety of representations on many issues concerning take-up of benefits. It is not possible to specify all the representations received since April.

Disregards

53. **Mr. Skinner:** To ask the Secretary of State for Social Security how many representations he has received about raising the level of disregards; and if he will make a statement.

Mr. Peter Lloyd: I regret that this information is not held.

Leaflets

54. **Mr. Harry Barnes:** To ask the Secretary of State for Social Security if he will revise leaflet FB23 and remove the words on the YTS reading

"This is a real chance for you to make a good start in life and to get training for skills and a recognised qualification."

Mr. Peter Lloyd: No. Recent surveys have shown that 75 per cent. of young people leaving YTS go into jobs, further education or training. They have also shown that 80 per cent. of those young people consider that they have benefited from their YTS training.

YTS has developed as an attractive and effective initial training scheme which is becoming the normal route into work for young people aged 16 and 17 leaving school. It provides the modern skills and qualifications that help young people get the jobs that the country needs to compete internationally.

Housing Benefit (War Widows and Pensioners)

56. **Mr. Livsey:** To ask the Secretary of State for Social Security if he will make a statement on the effect of the 1988 housing benefit regulations on war widows and pensioners.

Mr. Peter Lloyd: The April 1988 housing benefit reforms have provided for a system that is beter targeted, simpler to understand and to administer, and which provides for a greater degree of accountability in local government. Special treatment within the system which continues to be provided for war widows and war pensioners was increased by 25 per cent. in April by means of the £5 disregard which applies across the income-related benefits. Local authorities continue to have a discretion, as they had under the old scheme, to disregard further amounts of these pensions. The effect of the changes in individual cases will vary widely, but transitional protection is available in those cases where individual war pensioners or war widows saw a sharp drop in their housing benefit as a result of changes to the statutory national scheme.

Community Care Grants

60. **Dr. Godman:** To ask the Secretary of State for Social Security if he will initiate a take-up campaign for community care grants; and if he will make a statement.

Mr. Peter Lloyd: I refer the hon. Member to my reply to my hon. Friend the Member for North Norfolk (Mr. Howell) on 9 November at columns *223-4*.

Expenditure

61. **Mr. Alison** To ask the Secretary of State for Social Security by what percentage expenditure on social security has increased in real terms since 1979.

Mr. Peter Lloyd: Expenditure on the social security programme in Great Britain has increased by 33 per cent. in real terms between 1978-79 and 1988-89. This percentage increase reflects the latest estimated outturn for the current financial year announced in the Chancellor of the Exchequer's autumn statement on 1 November 1988.

Transitional Help

4. **Mr. Stern:** To ask the Secretary of State for Social Security how many people have applied for transitional help in respect of the changes introduced in April 1988.

Mr. Moore: A total of 373,823 applications for housing benefit transitional payments had been received up until Friday 11 November.

Child Allowances

Mr. Battle: To ask the Secretary of State for Social Security what the gross and net cost would be of raising the child allowances for income support and family credit by 10p in April 1989.

Mr. Peter Lloyd: In broad terms, the net cost of raising the child personal allowances in the main income related benefits by 10p a week might approach £15 million in a full year. The gross cost might be about £17 million.

Retirement Pensions

Mr. Battle: To ask the Secretary of State for Social Security if he will publish a table showing the current level of retirement pension for a single pensioner and a pensioner couple if uprated by prices or earnings, whichever was the higher, each year since 1980.

Mr. Peter Lloyd: The information requested is as follows:

	Single pensioner £	*Pensioner couple* £
November 1980	43·00	68·85
November 1981	43·48	69·60
November 1982	45·17	72·32
November 1983	46·75	74·86
November 1984	46·80	74·93
November 1985	48·29	77·32
July 1986	49·60	79·40
April 1987	50·15	80·29
April 1988	52·04	83·31

Mrs. Beckett: To ask the Secretary of State for Social Security what was the value of the basic retirement pension for a single person and a married couple in 1958 and November 1979, at April 1988 prices.

Mr. Peter Lloyd: The information requested is as follows:

	Single pensioner £	*Pensioner couple* £
[1]1958	21·75	34·80
[1]1979	40·91	65·50

[1] At April 1988 prices.

Mr. Paice: To ask the Secretary of State for Social Security what is his latest estimate of the percentage of people retiring now who will receive, in addition to the basic state pension *(a)* a state earnings-related pension and *(b)* an occupational pension.

Mr. Peter Lloyd: Of the people retiring in the six months ending 31 March 1988, approximately 55 per cent. were in receipt of a state earnings-related pension. Information regarding occupational pensions is not available.

Mr. Madden: To ask the Secretary of State for Social Security when, pursuant to the Chancellor of the Exchequer's remarks of 7 November, *Official Report*, columns 21-27, he will give details about help to pensioners, the net cost of the new scheme, estimates as to how many pensioners will benefit, what extra cash benefit they will receive and when the new scheme will start.

Mr. Gordon Brown: To ask the Secretary of State for Social Security how many pensioners will be covered by his new proposal announced on 7 November, *Official Report*, columns 21-27.

Mr. Scott: I confirm that extra resources will be available to help poorer pensioners. Details of the proposals are under consideration. We shall make an announcement in due course.

Supplementary Benefit

Mr. Steinberg: To ask the Secretary of State for Social Security, prior to the social security changes of April 1988, how many people were claiming the long-term rate of supplementary benefit; of these how many have lost or will lose in real terms following the abandonment of that rate; and how much he estimates his Department will save over the next two years as a result.

Mr. Peter Lloyd: There were 2·61 million people getting the long-term rate of supplementary benefit in May 1987. How many of these have lost in real terms, and the overall financial effects of the April 1988 changes would require an extensive computer analysis which could be done only at disproportionate cost.

Pensions (Statistics)

Mr. Fry: To ask the Secretary of State for Social Security how many are currently receiving the state retirement pensions; and of them, how many *(a)* are in receipt of income support, *(b)* are in receipt of income support but do receive some housing benefit, *(c)* pay no income tax but receive no income support and *(d)* pay income tax on declarable incomes of less than £1,000 above their tax threshold.

Mr. Scott: Nearly 9·8 million pensioners are currently in receipt of the state retirement pension. As at May 1987 there were approximately 1·8 million people of pensionable age in receipt of supplementary benefit. (Income support replaced supplementary benefit in April 1988 and figures relating specifically to income support are not yet available). As at September 1987 there were approximately 1·5 million people of pensionable age in receipt of both supplementary benefit and housing benefit.

Approximately 2·5 million retirement pensioners pay no income tax and are not entitled to income support. Approximately 0·5 million pensioner units (A pensioner unit is a single person over state pension age, or a couple

where the husband is aged over 65) pay income tax on declarable incomes of less than £1,000 above their tax threshold.

Mr. Wray: To ask the Secretary of State for Social Security what is, for each year since 1974, the total number of pensioners in the United Kingdom; and how many of them live in Scotland.

Mr. Peter Lloyd: The information requested is as follows:

Numbers of pensioners resident in (i) United Kingdom and (ii) Scotland in receipt of a basic retirement pension.

Year	*United Kingdom (thousands)*	*Scotland (thousands)*
1974	8,098	718
1975	8,257	732
1976	8,413	749
1977	8,522	759
1978	8,648	766
1979	8,774	776
1980	8,926	782
1981	9,068	794
1982	9,149	796
1983	9,227	800
1984	9,241	800
1985	9,415	812
1986	9,517	816
1987	9,553	816
1988	9,539	815

Note: The figures exclude pensioners overseas and those in receipt of graduated pension and additional pension only.

Mr. Wray: To ask the Secretary of State for Social Security what is, for each year since 1974, the number of pensioners who received *(a)* only the basic pension and *(b)* more than one pension.

Mr. Peter Lloyd: Record of pensioners in receipt of basic pension only are available from 1986. For each year since 1986, the information is as follows:—

	Number
September 1986:	2,225,700
September 1987:	2,422,840
March 1988:	2,294,570

The table shows the numbers of pensioners who in addition to their basic pension have a guaranteed minimum pension, additional pension or graduated pension. However, there will be a number of pensioners who will appear in more than one category, eg a pensioner with graduated pension may also have entitlement to additional pension and/or guaranteed minimum pension.

Year	*Graduated pension (thousands)*	*Net additional pension (thousands)*	*Guaranteed minimum pension (thousands)*
1974	2,873	—	—
1975	3,225	—	—
1976	3,578	—	—
1977	3,892	—	—
1978	4,201	—	—
1979	4,501	81	50
1980	4,841	277	165
1981	5,149	477	283
1982	5,386	660	392
1983	5,622	883	516
1984	5,773	1,010	581
1985	6,124	1,435	839
1986	6,382	1,788	1,022
1987	6,575	2,077	1,188
1988	6,649	2,204	1,267

Note: Overseas cases are included.

Mr. Graham Allen: To ask the Secretary of State for Social Security if he will estimate *(a)* the number of pensioners in Nottingham, *(b)* the number and percentage of those who have no income apart from the state pension and *(c)* the number and percentage of those who have no income apart from the state pension and income support.

Mr. Peter Lloyd: Information is not available about the number of pensioners in any particular locality, nor about the other income of beneficiaries receiving retirement pension only. Information about the number of pensioners in Nottingham who have no other income apart from retirement pension is not readily available and could be obtained only at disproportionate cost.

Mr. Sheerman To ask the Secretary of State for Social Security if he will make the level of payment of retirement pension independent of the day in the week on which pension is drawn.

Mr. Peter Lloyd: Pensioners receive the full amount of their pension entitlement regardless of the day of the week on which payment is made.

Disabled Persons

Mr. Steinberg: To ask the Secretary of State for Social Security if he will publish a table showing the average income of disabled persons as a proportion of general average income for each year since 1975.

Mr. Scott: I shall write to the hon. Member.

Mr. Wareing: To ask the Secretary of State for Social Security (1) what further plans he has to reduce poverty among disabled people;

(2) if he has any plans to introduce a comprehensive national disability income; and if he will make a statement.

Mr. Scott: We shall use the data obtained from the surveys of disability undertaken by the Office of Population Censuses and Surveys to help judge how the substantial existing resources are targeted and to see whether there are better ways of providing help to those who need it most.

Mr. Wareing: To ask the Secretary of State for Social Security what plans he has to implement any of the recommendations of the committee on restrictions against disabled people report; and if he will make a statement.

Mr. Scott: The Government have implemented a number of the committee's recommendations. Its report identified lack of access as a major concern, and recommended the establishment of an access committee for England, which was done in 1984. We are also making staged amendments to the building regulations to ensure that the needs of disabled people are taken into account.

Mr. Wareing: To ask the Secretary of State for Social Security what funds he has allocated during each of the past five years for the specific purpose of combating discrimination against disabled people.

Mr. Scott: We have not allocated funds explicitly for this purpose. We believe that the best approach in the interests of disabled people is to take practical measures to encourage their integration into society. A key example is the substantial financial support we have given since 1984 to the access committee for England, which aims to achieve an accessible environment for people with all types of disability.

National Insurance Fund

Mr. Austin Mitchell: To ask the Secretary of State for Social Security by how much the surplus of income over expenditure in the national insurance fund is expected to increase in the current financial year and in 1988-89; what is the purpose of the increase; and what action has been taken to protect the value of the contributions in real terms.

Mr. Peter Lloyd: The Government actuary will publish his estimates of the national insurance fund's surplus in the current year and in 1989-90, in his report on the draft re-rating orders, which will be laid before Parliament shortly. These estimates will be based on the economic assumptions published in the autumn statement. The real value of contributions has been protected by appropriate changes to rates and earnings limits but since 1985 the reduced rates have cut contributions paid by lower paid workers and their employers.

Disabled Persons Act

Mr. Irving: To ask the Secretary of State for Social Security what is the Government's latest timetable for implementation of section 11 of the Disabled Persons Act.

Mr. Scott: The first report requested under section 11 is expected to be laid before the House before the end of 1989.

Fraud

Mr. Cohen: To ask the Secretary of State for Social Security if he will describe facilities provided to him by the Driver and Vehicle Licensing Centre in Swansea, to enable his fraud officers to trace vehicle numbers of claimants; whether he has any figures for the number of such inquiries made by any of his fraud officers; and what controls he has established to ensure that such information is used only for legitimate purposes.

Mr. Peter Lloyd: The Department's fraud officers in the investigation of suspected benefit fraud use the same facility afforded to local authorities to make inquiries at the Driver and Vehicle Licensing Centre in Swansea on a non-fee-paying basis. In 1987-88 about 30,000 inquiries were made. All investigations undertaken by fraud officers are subject to managerial control and checks and all inquiries are channelled through a single office. Departmental officers are subject to the normal rules of confidentiality.

Social Security Office (Shettleston)

Mr. David Marshall: To ask the Secretary of State for Social Security on what date work will commence on the construction of the new social security office in Shettleston; and what is the estimated completion date.

Mr. Peter Lloyd: Present indications are that work will start on site in January 1989 and be completed by January 1990.

Christmas Bonus

Mr. Parry: To ask the Secretary of State for Social Security if he has any plans to increase the Christmas bonus; and if he will make a statement.

Mr. Peter Lloyd: We have no plans to do so.

Benefit Changes

Mr. Allen: To ask the Secretary of State for Social Security if he will meet representatives of Nottingham city council to discuss the impact of the recent social security and housing benefit changes on the citizens of Nottingham.

Mr. Peter Lloyd: We do not consider such a meeting would be productive.

British Shipbuilders plc

Dr. Godman: To ask the Secretary of State for Social Security what is the total number of former employees of British Shipbuilders plc who have received 13 weeks arrears of supplementary benefit following the test case in Southampton involving a former employee of the company; what the average payment was; what was the total amount of money paid to successful applicants; and from which local offices of his Department these payments were made.

Mr. Peter Lloyd: I regret that this information is not available.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Social Security what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Peter Lloyd: There are approximately 400 official vehicles operated by the Department of Social Security. The vast majority of these are incapable of running on or being converted to run on unleaded fuel. However instructions have been issued for the necessary work to be done to convert such vehicles where this is possible. Vehicles which cannot run on unleaded fuel will gradually be replaced by those which can, as they come to the end of their economic life.

Computers (Safety)

Mr. Menzies Campbell: To ask the Secretary of State for Social Security what action he is taking to ensure the safety of his Department's computer system from penetration by computer hackers.

Mr. Peter Lloyd: Most of the Department's existing computer systems are batch processing systems and are

therefore not susceptible to hackers in the same way as on-line systems. However, the Department has now begun to implement the operational strategy, a major programme of computerisation which will provide on-line services for all social security offices. In devising the strategy, great care has been taken to ensure the security of data within the systems. Access will be limited to authorised users by means of passwords and personal identification devices. Further protection against hackers, who normally attempt to enter a system by trying a series of passwords, will be provided by an additional security device which will "lock-out" the terminal after three unsuccessful attempts to enter the correct password. External users are unable to dial directly into a system. A dial-back facility is imposed which will prevent access from unauthorised terminals.

A system of access permission has also been built in which will limit the data to be accessed by authorised users and a record of transactions will be made enabling management to monitor access to data.

Higher Pensioner Premiums

Mrs. Beckett: To ask the Secretary of State for Social Security when he intends to reduce the qualifying age for the higher pensioner premium from 80 to 75 years; and what will be the cost, assuming no change in the amount of the premium.

Mr. Scott: To reduce the qualifying age for the higher pensioner premium from 80 to 75 years, assuming no change in the amount of the premium would have an estimated cost, at 1989-90 benefit rates, of £80 million for income support and £25 million for housing benefit. There has been no decision to change the qualifying conditions for any income support premium. If such a decision were to be made, it would be announced at the appropriate time.

Mrs. Beckett: To ask the Secretary of State for Social Security how many people receive the higher pensioner premium and how many more would receive it if the qualifying age were reduced to 75 years.

Mr. Scott: At present, an estimated 550,000 people get the higher pensioner premium. Latest estimates indicate that if the qualifying age for the premium were reduced to 75, and additional 445,000 income support recipients would receive it.

Social Security Tribunals (Bradford)

Mr. Madden: To ask the Secretary of State for Social Security what action he intends to take to ensure appellants to Bradford social security tribunals who are represented by staff of Bradford benefit advice shops, which are to be closed, are represented at social security tribunals.

Mr. Peter Lloyd: Although the Department provides lists of local advice agencies which are willing to represent social security appellants, it is the appellant's responsibility to decide whether he wishes to be represented, and if so, to arrange it.

Family Credit (Nottingham)

Mr. Allen: To ask the Secretary of State for Social Security what efforts he is making to increase the take-up of family credit in Nottingham; and how much will be spent on this by his Department.

Mr. Peter Lloyd: I refer the hon. Member to my reply to my hon. Friend the Member for Brentwood and Ongar (Mr. McCrindle) on 4 November at column *810* regarding the action being taken on a national basis. The Department's regional information officer is involved in a wide range of local initiatives being taken in Nottingham to publicise family credit, including contacts with trade unions and talks to other organisations and on local radio. It is not possible to identify separately the amount being spent on family credit publicity in Nottingham.

Elderly People

Mr. Austin Mitchell: To ask the Secretary of State for Social Security how many elderly single and married persons are aged over 75 years; what proportion in each case now claim (i) income support (ii) housing benefit or (iii) rate relief; how many are likely to be able to claim relief from payment of the poll tax in whole or in part and how many are likely to be worse off than at present when the poll tax is introduced.

Mr. Peter Lloyd: I shall write to the hon. Member.

Pensions and Contributions

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is the policy of Her Majesty's Government on the harmonisation of the rates of pension contribution and rates of pension payable in the European Economic Community; and if he will publish in the *Official Report* details of pension provision in other European Economic Community countries for industrial workers together with a table showing the current number of pensioners as a percentage of the working population and the forecast for the years 2000 and 2025.

Mr. Peter Lloyd: It is simply not possible to compare validly the basic pension with pensions in other EC countries, which are generally based on personal earnings, and to ignore the state earnings-related pension and occupational pensions, of which the latter are much more widespread here than in most European countries. For details of pension provision in other EC countries, I refer the hon. Member to the "Tables on Social Benefit Systems in the European Communities", a copy of which is available in the Library.

The current number of pensioners expressed as a percentage of the working population is about 35 per cent. On our best estimates, the corresponding figures for the years 2000 and 2025 will be about 36 per cent. and 47 per cent. respectively.

Benefits and Allowances

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is his estimate of the saving in other forms of direct and indirect state benefits and allowances as a result of an increase in child benefit to *(a)* £10, *(b)* £15 and *(c)* £20 by adding the benefit to income for tax purposes.

Mr. Peter Lloyd: Precise costs and savings would depend on the assumptions made for the calculation of social security benefits other than child benefit. In broad terms, the orders of magnitude might be as follows:

£ billion
1988-89 levels

	Child benefit increased to		
	(a) *£10 per week*	*(b)* *£15 per week*	*(c)* *£20 per week*
Child benefit cost	1·7	4·8	8·0
Saving in income-related benefits and child dependency increases	0·4	1·0	1·7
Increase in income tax revenue	1·4	2·1	1·7
Net Cost	nil	1·7	3·5

Attendance Allowance

Mr. Frank Field: To ask the Secretary of State for Social Security when Mrs. P. J. Tennant of 50 Kirkland avenue, Tranmere, Birkenhead will receive a final decision from the attendance allowance board on the claim in respect of her daughter Dawn (Ref. 417027W) on which the last payment was received on 14 December 1987.

Mr. Scott *[holding answer 8 November 1988]:* The attendance allowance board hopes to conclude its review of this case shortly and send its decision to Mrs. Tennant within the next seven days. I am writing to the hon. Member.

Public Spending

Mr. Fearn: To ask the Secretary of State for Social Security what *(a)* amount and *(b)* proportion of total public spending on social security is accounted for by local authorities for each year since 1967-68 projected to 1990-91 in 1987-88 prices.

Mr. Scott: Expenditure on housing benefit and its administration is the sole area of local authority spending within the social security budget. This expenditure became part of the social security programme from 1982 with the introduction of the housing benefit scheme. The table gives information on the programme in the form in which it was presented in the 1982 public expenditure White Paper, and subsequently.

£ million at 1987-88 prices, Great Britain

	Amount of local authority expenditure	*Proportion of total social security expenditure Per cent.*
1976-77	540	1·8
1977-78	590	1·9
1978-79	540	1·6
1979-80	530	1·6
1980-81	580	1·7
1981-82	790	2·1
[1]1982-83	1,300	3·2
[1]1983-84	3,060	7·3
1984-85	3,320	7·6
1985-86	3,460	7·7
1986-87	3,620	7·8
[2]1987-88	3,760	8·1
[2]1988-89	3,830	8·3
[2]1989-90	3,920	8·3
[2]1990-91	4,020	8·4

[1] These increases reflect the introduction of the housing benefit scheme, which transferred responsibility for the housing costs of supplementary benefit claimants from central government to local authorities.

[2] Figures for 1987-88 to 1990-91 are based on those published in January 1988 in the public expenditure White Paper, Cm. 288.

TRANSPORT

Orange Badge Scheme

92. **Mr. Colvin:** To ask the Secretary of State for Transport if he will make a statement on his review of the orange badge scheme for the disabled.

Mr. Peter Bottomley: We are considering with the disabled persons transport advisory committee and others a number of possible changes to the scheme in the light of our consultation exercise. We shall make an announcement as soon as possible.

PSV Licences (Cost)

Mr. Salmond: To ask the Secretary of State for Transport if he will outline the reasons for a 125 per cent. increase in the PSV licence.

Mr. Peter Bottomley: It is Government policy that the vocational driver licensing system should be financially self-supporting. The five-year PSV licence now costs £22·50. The PSV drivers' licence fees have never covered the cost of providing the service. The previous fees, which were set in 1985, were not designed to recover the costs in full. It was recognised at the time that further substantial increases would be needed in order to achieve full recovery. The new fee levels should put these services on to a sound financial footing in the coming years.

Her Majesty's Coastguard

Mr. Mudd: To ask the Secretary of State for Transport what steps he has taken to satisfy himself that the manpower ceiling imposed on Her Majesty's coastguard is adeqate to realise maximum benefit from increased communications and technological equipment being installed in operations rooms around the coast; and to what extent funding to the coastguard, in real terms, has risen to meet the increase in recorded incidents.

Mr. Austin Mitchell: To ask the Secretary of State for Transport what steps he has taken to ensure that the manpower ceiling imposed on Her Majesty's coastguard is adequate to realize maximum benefit from the communications equipment and new technology being fitted in operations rooms; and whether the funding of Her Majesty's coastguard has risen in real terms.

Mr. Peter Bottomley: Coastguard manpower is kept under constant review, taking account of developing technology. As regards funding I refer to the answer given today to my hon. Friend.

Mr. Mudd: To ask the Secretary of State for Transport if he will give details of the expenditure incurred by Her Majesty's coastguard over each of the last five financial years; and what percentage of his Department's budget that involved in each of those years.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give details of the expenditure incurred by Her Majesty's coastguard over the past five years and the percentage of his Department's budget that represented.

Mr. Portillo: Since 1983-84 expenditure on Her Majesty's coastguard has increased by some £9·9 million or 70·59 per cent. In the same five-year period expenditure by the Department overall has increased by £516·8 million or 26·35 per cent. The proportion of the Department's expenditure devoted to Her Majesty's coastguard has therefore increased from 0·72 per cent. to 0·97 per cent. Fuller details are given in the following table:

	(a) HM Coastguard expenditure (£ million)	*(b) Department of Transport expenditure (£ million)*	*(c): (a) as a proportion of (b) (per cent.)*
1983/84	14·06	1,960·95	0·72
1984/85	18·66	2,031·50	0·92
1985/86	21·57	2,446·05	0·88
1986/87	21·80	2,376·59	0·92
1987/88	23·99	2,477·76	0·97

Mr. Mudd: To ask the Secretary of State for Transport if he will detail the anticipated cost of overtime working in Her Majesty's coastguard in the financial year 1988-89; what percentage increase this represents over 1987-88; and what percentage of his Department's total overtime bill this represents.

Mr. Austin Mitchell: To ask the Secretary of State for Transport (1) if he will give details of the cost of overtime working by civil servants in Her Majesty's coastguard between 1979 and 1988 and of the percentage of his Department's total overtime bill this represented in each year;

(2) if he will give details of the anticipated cost of overtime working in Her Majesty's coastguard in the financial year 1988-89 and the percentage change this represents over the financial year 1987-88; and what percentage of his Department's overtime bill this represents.

Mr. Portillo: The information is as follows:

Overtime working: percentage increase, and percentage of total departmental overtime bill

	1985-86 £	*1986-87* £	*1987-88* £	*1988-89 (Outturn forecast)*
HMCG	648·011	699·792	714·049	789·000
DTp total (including DVL)	1,375·397	1,538·851	1,545·074	n/a
Percentage change over previous year	—	+8·0	+2·0	+10
Percentage of Departmental total	47	45	46	—

Figures before financial year 1985-86 are not readily available.

Mr. Mudd: To ask the Secretary of State for Transport if he will detail, in the *Official Report*, the recruitment procedure used by Her Majesty's coastguard to replace essential staff when, in the case of such staff, the retirement date is known in advance.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will provide details of the recruitment procedures used by Her Majesty's coastguard to replace essential staff whose retirement date is known in advance.

Mr. Portillo: All recruitment into Her Majesty's coastguard occurs in the basic grade of coastguard officer. Recruitment campaigns are, as far as possible, linked to projected vacancies and advertisements are placed in appropriate newspapers and journals which set out the qualifications and experience required. Following interview successful candidates are offered posts accordingly.

Mr. Mudd: To ask the Secretary of State for Transport if, following the introduction of the CG66 scheme encouraging small boatmen and yachtsmen to equip themselves with VHF radio, he plans to withdraw travel routing and weather forecasting services on request as currently provided by Her Majesty's coastguard.

Mr. Austin Mitchell: To ask the Secretary of State for Transport whether, following the introduction of the CG66 scheme encouraging small boatmen and yachtsmen to fit VHF radio, it is his intention to withdraw the travel routing and weather forecasts on request currently provided by Her Majesty's coastguard.

Mr. Portillo: The travel routing is provided by the coast radio stations operated by British Telecom. There are no plans to withdraw any of the radio services currently provided by Her Majesty's coastguard, including weather forecasts.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give details of the number of incidents handled and the number of lives saved over the past five years by the coastguard stations at Hartland, Ramsey and Peterhead.

Mr. Portillo: Statistical records kept by Her Majesty's coastguard express casualties as persons assisted rather than lives saved. Details are as follows:

	1983	*1984*	*1985*	*1986*	*1987*
Hartland					
Number of incidents	195	219	175	214	157
Persons assisted	341	311	235	324	198
Ramsey					
Number of incidents	92	118	136	106	126
Persons assisted	144	151	185	182	185
Peterhead					
Number of incidents	52	91	77	92	109
Persons assisted	104	213	124	141	192

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give details of the amount and cost of overtime worked by coastguards at Hartland, Ramsey and Peterhead and at Swansea, Liverpool and Aberdeen over the past five years; and whether his Department has assessed what increased overtime working will be necessary at Swansea, Liverpool and Aberdeen if the proposed changes are implemented.

Mr. Portillo: Records of overtime working at individual coastguard stations are not available. No increase in overtime at Swansea, Liverpool and Aberdeen is anticipated because of the redeployment of staff to those stations.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give the cost of non-SAR services, those listed as miscellaneous in the duties appropriate to Her Majesty's coastguard; who will carry out such community responsibilities if they are withdrawn from Her Majesty's coastguard; how they will be funded; and if he will make it his policy to ensure that such costs will not fall on coastal authorities.

Mr. Portillo: The costs of those services known as miscellaneous duties provided by Her Majesty's coastguard are small and not separately identified. There are no plans to change coastguard responsibilities in this respect.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will provide details of the numbers, grades and experience of the coastguards who are to augment the district staffing levels at Swansea, Liverpool and Aberdeen if the proposed closures of Hartland, Ramsey and Peterhead are implemented.

Mr. Portillo: Following is the information:

Coastguard district	*Staffing levels*	*Experience*
Aberdeen	1 Station officer	10 years
	5 Coastguard officers	Ranging from 16 years to new entrants
Swansea	2 Senior coastguard officers	13 and 8 years
	4 Coastguard officers	Ranging from over 3 years to 1 year
Liverpool	1 Senior coastguard officer	10 years
	1 Coastguard officer	2 years

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give a precise breakdown of the cost savings which will be achieved by the proposed closures of Hartland, Ramsey and Peterhead stations and the offsetting costs resulting from augmenting SAR resources at Swansea, Liverpool and Aberdeen.

Mr. Portillo: A breakdown of the continuing cost savings on Her Majesty's coastguard's budget is:

	£
Salaries	387,000
Overtime	60,000
Auxiliary coastguard payments	52,000
Private wires and BT rental/call charges	65,000
Miscellaneous, (training, postage etc.)	45,000
	609,000

This takes into account the additional posts at Swansea, Liverpool and Aberdeen. In addition, other savings to the Department of Transport generally, will include:

	£
Common Services	91,680
Accommodation	44,000
	135,680

There are certain once only costs associated with transfer of resources, which cannot be finalised at this stage.

Mr. Austin Mitchell: To ask the Secretary of State for Transport how any safety recommendations arising from the Piper Alpha inquiry that require improved manpower, equipment and other resources for Her Majesty's coastguard will be implemented.

Mr. Portillo: Until the results of the inquiry are known, it is not possible to state how any recommendations might be implemented.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give details of the procedure for consultation with local Members of Parliament, local councils, fishermen, the Royal National Lifeboat Institution, tourist authorities, coastguard unions and others, before any decision is taken to close a coastguard station.

Mr. Portillo: There is full consultation with the organisations referred to about the implications of any significant charges proposed for coastguard service.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give details of power failures and total communications breakdowns, such as those at Liverpool and Oban coastguard stations recently, over the past five years; and if he will take steps to ensure that similar occurrences in the future will not result in more deaths in coastal waters.

Mr. Portillo: The rescue centres at Liverpool and Oban suffered partial breakdown in communication facilities which were quickly restored. No coastguard rescue centres have suffered power and total communication failures over the past five years. Essential systems are duplicated. Fail-safe line systems, overlapping radio cover, emergency power supplies at remote sites and in operations centres complement contingency plans which seek to cater for any disruption of SAR tasks.

Mr. Fearn: To ask the Secretary of State for Transport whether, since his announcement concerning closures of coastguard stations, *Official Report*, 21 March, columns *42-43*, he has met representatives of the coastguard's trade union and the National Union of Civil and Public Servants; and if he will make a statement.

Mr. Portillo: No, but several meetings between union representatives and officials of the Department have taken place.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Transport what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Peter Bottomley: I refer my hon. Friend to the answer given today by my right hon. Friend the Secretary of State for the Environment.

North-East England (Channel Tunnel Link)

Ms. Quin: To ask the Secretary of State for Transport if he will take steps to ensure that a direct high-speed rail line from the north-east of England to the Channel tunnel is constructed and in operation by the date that the tunnel opens.

Mr. Portillo: The responsibility for planning Channel tunnel rail links rests with British Rail, not the Government. I understand that BR considers that the newly electrified east coast main line will be more than adequate so far as the stretch between London and the north-east is concerned, and that freight services from the tunnel to the north-east can begin as soon as the tunnel opens in 1993.

London Transport (Attacks)

Mr. Wray: To ask the Secretary of State for Transport how many people have been *(a)* attacked, *(b)* injured and *(c)* killed inside (i) London Underground premises and trains, and (ii) buses in London, for each year since 1975.

Mr. Portillo: The information is as follows:

London Underground Ltd.: assaults[1] against passengers, staff and police since 1975

Year	Total
1975	431
1976	314
1977	391
1978	440
1979	643
1980	590
1981	585
1982	650
1983	700
1984	695
1985	773
1986	1,038
1987	1,111

[1] Includes violence against the person and indecent assault.

London Underground Ltd.: fatal accidents and injuries to staff, passengers and police

Year[2]	Fatal	Major injury
1984	3	13
1985	6	2
1986	4	16
1987	35	25

[2] Figures not available before 1984. Does not include trespassers or suicides.

London Buses Ltd.: assaults on bus staff

Year[3]	Total
1980	1,123
1981	1,007
1982	1,228
1983	1,157
1984	1,222
1985	1,344
1986	1,128
1987	883

[3] Figures not available before 1980.
Information is not kept centrally on assaults on passengers.

Bus and Coach Occupants Injured by Severity of Injury; Greater London: 1979-1987

Year[1]	Drivers				Passengers			
	Fatal	Serious	Slight	Total	Fatal	Serious	Slight	Total
1979	1	3	92	96	4	199	2,855	3,058
1980	—	4	95	99	9	193	2,850	3,052
1981	1	3	97	101	4	196	2,671	2,871
1982	1	6	82	89	10	227	2,662	2,899
1983	—	5	87	92	7	217	2,730	2,954
1984	—	3	76	79	16	275	2,821	3,112
1985	—	2	96	98	8	329	2,518	2,855
1986	—	4	81	85	6	252	2,426	2,684
1987	—	13	82	95	10	282	2,112	2,404

[1] Figures not available before 1979.
Information is not available separately for London Buses Ltd.

British Rail (Catering)

Mr. David Young: To ask the Secretary of State for Transport if he will direct British Rail to have due regard in selling its catering services to the interests of the consumer, with particular reference to pricing policy; and if he will make a statement.

Mr. Portillo: These are commercial matters for the Railways Board and for the catering businesses concerned.

Lorry Safety

Mr. Atkinson: To ask the Secretary of State for Transport what safety studies his Department has undertaken into the fitting of reversing bleepers on lorries; whether this practice has been introduced in other countries; and if he has any plans to introduce legislation to make them compulsory in the United Kingdom.

Mr. Peter Bottomley: Statistical evidence shows very few road accidents involving reversing vehicles. For this reason we have no plans to make the fitting of reversing alarms compulsory. The primary responsibility for reversing safely rests with drivers. The Highway Code contains comprehensive advice about this. Reversing alarms are an aid to reversing safety. That is why we permit them to be used on certain categories of vehicle, including heavy lorries.

We have the benefit of advice from Mr. C. P. Hanson-Abbott of Brigade Electronics Ltd. and his "National Reverse in Safety" campaign. His company is the market leader in reversing alarms in this country. He has been pushing Ministers to make the alarms compulsory for heavy goods vehicles.

London Regional Transport (Central Line)

Mr. Shersby: To ask the Secretary of State for Transport what information he has concerning proposals

by London Regional Transport to improve the service and introduce new rolling stock on the Central line to West Ruislip.

Mr. Portillo: On 11 October 1988 my right hon. Friend the Secretary of State announced the approval of London Regional Transport's plans to modernise the Central Line at the cost of over £700 million. As part of that modernisation, 85 new trains will be introduced, the first of which are expected to run in passenger service between West Ruislip and Northolt by the end of 1991.

Light Dues

Mr. Austin Mitchell: To ask the Secretary of State for Transport whether he has any proposals for collecting light dues from *(a)* pleasure craft and *(b)* fishing vessels under 10 m giving his estimate of the revenue which would accrue at current levels.

Mr. Portillo: As regards pleasure craft I refer the hon. Member to my right hon. Friend the Secretary of State's reply to my hon. Friend the Member for Eastleigh (Sir D. Price) on 7 November at columns *71-72*. If subsequently it were decided to apply light dues to pleasure craft the revenue would depend on the level of charge to be levied. I have no plans for charging light dues on fishing vessels of less than 10 metres.

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give an estimate of the cost of collecting light dues from fishing vessels; and how much has been collected to date from *(a)* British and *(b)* foreign vessels.

Mr. Portillo: Payments to date of light dues in respect of United Kingdom-registered fishing vessels amount to some £45,000. Information about the value of payments in respect of foreign-registered fishing vessels is not readily available. Nor is it possible to identify separately the cost of collecting light dues in respect of fishing vessels.

M40 (Oxford—Birmingham Extension)

Mr. Tim Smith: To ask the Secretary of State for Transport on what evidence he bases his assumption that about 13,000 to 15,000 vehicles per day will transfer from the M1 to the M40 when the M40 extension between Oxford and Birmingham is fully opened to traffic in 1991.

Mr. Peter Bottomley: Our estimates of the traffic effects of building the M40 extension, including the transfer of traffic from the M1, are based on forecasts derived from the Oxford to Birmingham traffic model developed by the Department for use in designing the scheme.

East Midlands (Channel Tunnel Interchange)

Mr. Allen: To ask the Secretary of State for Transport what recent representations he has received regarding the electrification of the midland main line and the Channel tunnel interchange to serve the east midlands; and if he will make a statement.

Mr. Portillo: We have received 13 representations since the beginning of this year. It is for British Rail to plan its future investment programme.

British Transport Police

Mr. Leighton: To ask the Secretary of State for Transport how many employees of the British Transport police were made redundant consequent upon the privatisation of Sealink.

Mr. Portillo: None.

Mr. Leighton: To ask the Secretary of State for Transport what information he has as to when the communications programme will be completed to allow British Transport police to deploy officers underground.

Mr. Portillo: The British Transport police already deploy officers throughout the London Underground system, but the improvements to communications currently under way will increase their effectiveness below the ground. The installation of leaky-feeder cable equipment to allow the use of radios at 42 key deep-level stations will be completed by February next year. The full radio strategy extending the use of leaky-feeder facilities to other stations and allowing police radios to operate in running tunnels will be in place by 1993.

Sealink

Mr. Leighton: To ask the Secretary of State for Transport how much was spent on policing Sealink in the last full year prior to privatisation; and what information he has on spending by Sealink in the last 12 months.

Mr. Portillo: I understand that the cost to BR of policing Sealink in the last full year prior to privatisation was £2,062,000. In 1987-88 Sealink paid £2,102,000 to the British Transport police for policing Sealink.

London Underground (Crime)

Mr. Leighton: To ask the Secretary of State for Transport if he will direct London Underground Ltd. to display posters on underground stations and trains advising travellers on the action they should take if they observe the committing of crimes.

Mr. Portillo: I have no powers to give London Regional Transport directions of this kind, but I will draw the attention of the chairman to the hon. Member's suggestion.

Mr. Leighton: To ask the Secretary of State for Transport how many indictable crimes were committed on the London Underground in the last year.

Mr. Portillo: The number of indictable crimes recorded on the London Underground from 1 October 1987 to 30 September 1988 was 18,383.

Coastguard Rescue Centre

Mr. Austin Mitchell: To ask the Secretary of State for Transport (1) if he will indicate the estimated daily coastguard manning levels, excluding casual auxiliary coastguards, in Scottish coastguard rescue centres, in the 1988-89 financial year;

(2) if he will indicate the estimated daily coastguard manning levels, excluding casual auxiliary coastguards, in Scottish coastguard rescue centres, in the 1987-88 financial year.

Mr. Portillo: The average manning levels at Scottish rescue centres was, or is estimated to be, as follows:

Grade	*1987-88*	*1988-89*
Principal Inspector	2	2
Inspector	2	2
District Officer	8	8
Station Officer	17	14
Senior CG Officer	32	28
CG Officer	61	65
	122	119

Auxiliary Coastguards

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will give details of the position of auxiliary coastguards at Hartland, Ramsey and Peterhead if the proposed closures are implemented and of the compensation that will be provided to individuals.

Mr. Portillo: The Isle of Man Government have agreed to take on the responsibility for the auxiliaries on the island. At Hartland those auxiliaries on the watchkeeping panel, who are able and wish to do so, have been offered the opportunity to continue their membership of the coastguard auxiliary service, albeit in a different capacity. At Peterhead, the same offer will be made in due course. As auxiliaries are not employees, the question of compensation does not arise. The organisation and deployment of all the auxiliaries who form the coast rescue companies remains unchanged.

Motorways (Lighting)

Sir Anthony Grant: To ask the Secretary of State for Transport what steps he is taking to see that all motorways are adequately lighted; and if he will make a statement.

Mr. Peter Bottomley: The Department keeps the lighting requirements of all motorways in England under constant review and provides lighting wherever justified. Each assessment takes safety, environmental and economic factors into account. Some 400 miles of motorway are already lit and a further 100 miles are likely to be lit by 1995.

National Traffic Club

Mr. Janner: To ask the Secretary of State for Transport what progress has been made since March 1986 in the formation, long-term organisation, financing and promotion of a national traffic club for pre-school children along the lines developed by the transport and road research laboratory.

Mr. Peter Bottomley: A traffic club could make a significant contribution to reducing road accidents involving children and remains a firm objective. We have considered various proposals but none of them would have reached enough of the children concerned. We are now considering further suggestions. I hope to make an announcement shortly.

DVLC (Information)

Mr. Cohen: To ask the Secretary of State for Transport whether he will publish the latest information that he has readily available listing the names or types of organisations to which information from the Driver and Vehicle Licensing Centre in Swansea has been disclosed in order to trace the owner of a vehicle and the numbers of such disclosures.

Mr. Peter Bottomley: In 1987 there were in all, about 8·4 million disclosures of names and addresses of vehicle keepers from the records at the Driver and Vehicle Licensing Centre. A detailed breakdown of the names of the recipients is not available. Over 6·7 million of the disclosures were to the police, central ticket offices, local authorities, other Government Departments, and other enforcement agencies, for use in connection with the investigation of offences. In some 1·6 million of these cases, information was supplied to vehicle manufacturers for the purpose of safety-related recalls. The remaining 150,000 disclosures were to individuals or companies who demonstrated reasonable cause, as specified in regulations, for needing the information.

Airports (Passengers)

Mr. Fearn: To ask the Secretary of State for Transport how many passengers passed through *(a)* Heathrow, *(b)* Gatwick, *(c)* Manchester, *(d)* Cardiff (Rhosse) and *(e)* Glasgow airports in 1986 and 1987.

Mr. Peter Bottomley: The Department of Transport does not systematically collect such data. 1986 and 1987 figures are available in the Civil Aviation Authority's annual statement of movements, passengers and cargo 1987 for United Kingdom airports (CAP 536). A copy is in the Library.

Road Network (Backlogs)

Mr. Pike: To ask the Secretary of State for Transport what have been the effect of recent restrictions in the programme for the maintenance of the national road network between June and September of the current year on his aim to eliminate the backlog of motorway and trunk road renewal work by 1992.

Mr. Peter Bottomley: The restriction on maintenance was temporary. The allocation of £20 million from the reserve this year, followed by the 40 per cent. increase in proposed future expenditure, announced by my right hon. Friend the Chancellor of the Exchequer on 1 November, will enable progress towards the 1992 target to be resumed.

Extended Range Operations

Mr. Sheerman: To ask the Secretary of State for Transport (1) what steps have been taken to ensure that EROPS in and out of the United Kingdom are conforming to ICAO guidelines;

(2) whether any comparison has been made between the actual failure rates in EROPS and those which were predicted.

Mr. Peter Bottomley: The Civil Aviation Authority is responsible for the regulation of safety in respect of operations by United Kingdom-registered aircraft. The CAA's requirements in respect of EROPS operations conform with ICAO standards. Regulation of operations by foreign-registered aircraft is the responsibility of the state of registry, which is also expected to observe ICAO standards. If the hon. Member requires more information I suggest he approaches the CAA.

HEALTH

Community Care

89. **Mr. McKelvey:** To ask the Secretary of State for Health when he will make a statement on the implications for community care policy of the Griffiths report.

90. **Mr. Cummings:** To ask the Secretary of State for Health when he will make a statement on the implications for community care policy of the Griffiths report.

91. **Mr. Patchett:** To ask the Secretary of State for Health when he will make a statement on the implications for community care policy of the Griffiths report.

Mr. Mellor: I refer the hon. Members to my reply to my hon. Friend the Member for Eddisbury (Mr. Goodlad) on 24 October at column 66.

Mr. Win Griffiths: To ask the Secretary of State for Health if he will list the actions taken by each health authority to follow the advice on community care issued in DHSS circular HC(88)43.

Mr. Mellor: The circular provides guidelines for health authorities in formulating their short-term programmes for 1989-90. Reports from regional health authorities on their programmes will be submitted to the Department in 1989. These reports will describe action on the specific service objectives detailed in the circular: this will not cover all action in relation to community care.

Acetylcysteine

Mr. Gareth Wardell: To ask the Secretary of State for Health if he will publish in the *Official Report* those substitutes available for Acetylcysteine on the limited list.

Mrs. Currie: No. The prescribing of substitutes is a matter of clinical judgment but alternative treatment might include simple inhalations, or an oral or nasal decongestant, an antihistamine or an expectorant.

The advisory committee on National Health Service drugs has reviewed the position of Acetylcysteine and confirmed the recommendation of the Chief Medical Officer's working group which drew up the original selected list, that oral mucolytics such as Acetylcysteine are of no proven therapeutic value in the treatment of respiratory conditions.

We have, however, accepted that Acetylcysteine should be available for the management of those conditions where some benefit might be obtained, and it may be prescribed for any patient who has abdominal complications associated with cystic fibrosis.

Medical Treatment (British Dependencies)

Mr. Vaz: To ask the Secretary of State for Health if he will take steps to entitle British citizens in the British dependencies to medical treatment in the same way as other British citizens.

Mr. Mellor: No. Entitlement to free National Health Service hospital treatment is based not on citizenship but on residence. Dependent territories are responsible for their own internal arrangements, including health care. Whether, within their provision for health care, resources should be devoted to referring patients overseas, if specialist facilities are unavailable locally, is a matter for the individual territories themselves to determine.

National Health Service (Expenditure)

Mr. Ralph Howell: To ask the Secretary of State for Health (1) if he will state the total National Heath Service budget for 1970, 1979, 1984 and 1988 and the percentage change relative to the gross domestic product and public expenditure for each of those years;

(2) if he will state the amount spent on the National Health Service as a percentage of public expenditure and gross domestic product for 1976, 1979, 1984 and 1988, respectively.

Mr. Mellor: The following table shows United Kingdom gross expenditure on the National Health Service (ie the preferred measure of total resource used by the service) in money terms and as a percentage of GDP for the years requested. It also shows the yearly growth in gross expenditure on the National Health Service and of money GDP for the same years.

Gross expenditure on the National Health Service (United Kingdom)

Year	*£ million*	*Percentage change over previous year*	*Percentage of GDP*[1]	*Percentage change in GDP*[1] *over previous year*
1970-71[3]	2,150	13·5	4·0	10·7
1976-77[3]	6,539	16·3	5·1	16·8
1979-80	9,501	18·9	4·6	20·0
1984-85	17,223	7·3	5·2	7·1
1988-89	Information not yet available			

Source: Department of Health Statistics

Similar information relating net (ie public) expenditure on the National Health Service to the public expenditure planning total is as follows:

Net National Health Service expenditure

Year	*£ million*	*Percentage change over previous year*	*Percentage expenditure planning total*[2]	*Percentage change in planning total over previous year*
1970-71[3]	2,086	13·5	n/a	n/a
1976-77[3]	6,408	16·3	11·8	11·9
1979-80	9,278	18·7	11·9	18·7

Year	£ million	Percentage change over previous year	Percentage expenditure planning total[2]	Percentage change in planning total over previous year
1984-85	16,675	7·2	12·6	8·6
1988-89[4]	22,942	10·8	14·2	3·9

[1] Average measure of GDP, at market prices.
[2] *Source:* Table 5.1 Cm 288-I—The Government's Expenditure Plans 1988-89 to 1990-91—excluding privatisation proceeds.
[3] Figures derived from United Kingdom national accounts and not directly comparable with figures for later years which come from Department of Health statistics.
[4] Estimated.

Mr. Ralph Howell: To ask the Secretary of State for Health (1) if he will state the average cost of the National Health Service per person and per average family for 1970, 1979, 1984 and 1988, respectively;

(2) if he will state the amount spent per head on the National Health Service for 1970, 1979, 1984 and 1988, respectively.

Mr. Mellor: The information available is as follows:

	Gross NHS expenditure (United Kingdom) per capita (£)	per family of four (£)
1970-71	38	152
1979-80	169	676
1984-85	305	1,220
1988-89[1]	418	1,672

[1] Estimated
Source: Department of Health and OPCS Statistics.

Suicides

Sir Anthony Grant: To ask the Secretary of State for Health what statistical information is collected on the employment or profession of suicides.

Mrs. Currie: The occupation of the person who has died is recorded on the death certificate in accordance with instructions issued by the Registrar General. The occupation entered on the form refers to the latest full-time gainful employment followed. In the case of the unemployed or retired people, the last occupation is still to be recorded with, for the retired only, a note to that effect. The occupation of a woman should be recorded only when she was in paid employment most of her life.

These data are then coded by OPCS in accordance with the OPCS "Classification of Occupations", a copy of which is in the Library. Data on the occupation of suicides may be found in "Decennial Supplement Series DS No. 6 Occupational Mortality 1979-1980, 1982-83 Parts 1 and 2", copies of which are also in the Library.

Abortion

Ms. Richardson: To ask the Secretary of State for Health how his Department controls the disposal of foetuses and foetal tissue following abortion procedures; and what information he has as to how the foetus which hon. Members were invited by the Society for the Protection of Unborn Children to view during the past Session was obtained.

Mrs. Currie: We have no information concerning the specific foetus to which the hon. Member refers; she might like to put her question to the society. Within the National Health Service, proper arrangements for the disposal of foetuses and foetal material are the responsibility of individual health authorities. In the private sector, places approved under the Abortion Act 1967 may not supply foetuses or foetal material to any organisation or institution without the express approval of the Secretary of State, nor change the method(s) of foetal disposal approved by the Secretary of State without prior consultation.

Registered Homes Act 1984

Mr. Fearn: To ask the Secretary of State for Health when he intends to publish the report of the study by the social service inspectorate of the implementation of the Registered Homes Act 1984.

Mrs. Currie: I refer the hon. Member to my reply to the hon. Member for Monklands West, (Mr. Clarke) on 15 March at column *554*.

Schizophrenia

Mr. Fearn: To ask the Secretary of State for Health when the work on the three research projects commissioned by his Department at Charing Cross and Northwick park hospitals and the Institute of Psychiatry, relevant to an examination of the effectiveness of community care for sufferers from schizophrenia, will be completed.

Mrs. Currie: The research projects listed below were directly commissioned by the Department of Health.

Title	Researcher	Planned completion date
Research on the management of Schizophrenia in the community.	Dr. Wilkinson/Dr. Fallon Institute of Psychiatry	30 June 1989
Assessment of needs of Schizophrenics living in the health district of Harrow	Dr. Hershon Northwick Park Hospital	30 June 1989
Compulsory treatment of Psychiatric patients in the community.	Dr. Hirsch Charing Cross and Westminster medical school	Research finished. A report is expected soon.

Dental Practice Advisers

Mr. Sean Hughes: To ask the Secretary of State for Health (1) what discussions he has had with the British Dental Association and the General Dental Practitioners Association on the pilot schemes relating to dental practice advisers;

(2) whether he will list the pilot scheme areas in respect of dental practice advisers; and when the study will be completed;

(3) what are his Department's criteria for the appointment of dental practice advisers; and what will be the main requirements of such advisers in respect of professional qualifications;

(4) what is his best estimate of the costs involved in respect of each individual dental practice adviser; and how these costs will be funded in aggregate;

(5) whether he will list the expected functions of the proposed dental practice advisers; and whether any extra resources will be provided for their remuneration and training.

Mrs. Currie: The dental practice adviser (DPA) pilot scheme will cover England and Wales and arrangements for its introduction have been discussed with the General Dental Services committee of the British Dental Association as representative of the profession; it will run until early 1991. Guidance has been issued to those family practitioner committees (FPCs) listed who will be responsible for making appointments—on the criteria for selection and proposed functions of DPAs. The cost of the scheme, including training, will be met partly from the additional funds made available for primary care initiatives outlined in the White Paper "Promoting Better Health" and with the agreement of the profession, in respect of DPAs' expenses, partly from a small adjustment in the fees payable to general dental practitioners. During the current financial year each DPA will be paid a sessional fee of £68·27 and an allowance of £42·80 in respect of continuing practice expenses. The participating FPCs are: Avon, Barnet, Bradford, Buckinghamshire, Cheshire, Cleveland, Dorset, Dudley, Dyfedd, Essex, Gwent, Gwynedd, Hampshire, Kensington, Chelsea and Westminster, Lambeth Southwark and Lewisham, Leeds, Lincoln, Manchester, Solihull, South Glamorgan, Staffordshire, Wolverhampton.

I am placing a copy of the guidance to FPCs in the Library.

Free Dental Examinations

Mr. Colvin: To ask the Secretary of State for Health how many people had free dental examinations in each of the calendar years 1978 to 1988.

Mrs. Currie: Information on the number of dental examinations, all of which were free, is available up to 1985 by calendar year, and by financial year from 1986-87 to 1987-88.

England

(thousands)

	Number
1978	24,728
1979	24,807
1980	26,137
1981	26,573
1982	27,451
1983	27,913
1984	28,325
1985	28,642
1986-87	29,043
[1]1987-88	28,075

[1] Latest year for which figures are available.

Free Eye Tests

Mr. Colvin: To ask the Secretary of State for Health how many people had free eye tests in each of the calendar years 1978 to 1988.

Mr. Mellor: The information requested is not available but the number of free National Health Service tests in each year since 1978 is shown in the table. The figure for 1988 is not yet available.

England

(millions)

	Number
1978	7·9
1979	8·1
1980	8·3
1981	8·4
1982	8·7
1983	9·0
1984	9·8
1985	10·3
1986	10·5
1987	11·1

Meningitis

Mr. Cox: To ask the Secretary of State for Health what has been the number of reported cases of meningitis in England and Wales in each of the last three years.

Mrs. Currie: The information is shown in the table:

Number of notifications of acute meningitis: (a) all, (b) meningococcal 1985 to 1988[1]
England and Wales

Year	*Acute (a)*	*Of which meningococcal (b)*
1985	1,533	550
1986	2,172	870
1987	2,565	1,090
1988[1]	2,389	1,060

[1] Total to week ending 21 October 1988.

Chronic Mental Illness (Seminars)

Mr. Irving: To ask the Secretary of State for Health when the seminars he has funded to spread knowledge, among both psychiatric professional staff and planners, of the best ways of meeting the needs of those people chronically disabled by mental illness who may need long-term in-patient care, whilst avoiding the institutional environment of traditional long-stay wards, are being held.

Mrs. Currie: I presume that my hon. Friend is referring to a series of seminars, financed by the Department of Health, to publicise research that has been completed on hospital hostels for the chronically mentally ill. Five seminars were held between 16 October 1987 and 17 June 1988.

Long-stay Patients

Mr. Irving: To ask the Secretary of State for Health when he expects a decision to be made about the need for

data on the provision of places in accommodation in an informal domestic environment providing long-stay patients with 24-hour medical and nursing supervision, in each district health authority; and how this will be monitored in conjunction with the National Health Service.

Mrs. Currie: Subject to consultation with the Health Service we anticipate collecting this information during 1989. We are currently working on clear definitions to enable authorities to make reliable returns.

Community-based Services

Mr. Irving: To ask the Secretary of State for Health, in the light of the undertaking given to the Committee of Public Accounts that health authorities would be asked to provide more information about local authority plans for community-based services and how these mesh with those of the National Health Service, when he expects this information to be available; and if he will publish it in the *Official Report*.

Mr. Mellor: We are seeking constantly to refine the information collected in the course of the National Health Service planning and review process and the data available to monitor social services provision. The proposals for further improvements in monitoring community care plans at the local level in Sir Roy Griffiths' report are being considered along with his other recommendations.

Foetal Survival

Ms. Richardson: To ask the Secretary of State for Health what information he has concerning the number of foetuses born during the past five years which have survived for more than one month *(a)* without subsequent handicap and *(b)* with subsequent handicap at 21, 22, and 23 weeks' gestation, respectively; and whether he will make a statement.

Mrs. Currie: I regret that the data requested are not available from the registration of livebirths. Information on gestation period is collected at the registration of stillbirths only.

Prescription Charges

Mr. Austin Mitchell: To ask the Secretary of State for Health whether he will publish in the *Official Report* a table showing for each year since 1970 and his estimate for the current financial year the number of prescriptions paid for by the patient under the National Health Service by the non-aged together with the number in the population liable to the charge; and if he will provide an estimate of the average number and cost of prescriptions charged each year to a married manual worker with two children.

Mrs. Currie: The table gives the numbers of prescriptions dispensed by pharmacies which attracted a prescription charge for each year since 1970. This excludes prescriptions dispensed to people who purchased pre-payment certificates and prescriptions dispensed by doctors. For the current financial year we estimate that about 58·3 million prescriptions will attract a prescription charge. I regret that we are unable to give an estimate for each year of the numbers in the population liable for prescription charges, and we are unable to provide an estimate of the average number and cost of prescriptions charged each year to a married manual worker with two children.

Year	*Numbers of prescriptions which attracted a charge (millions)*
1970	115·0
1971	106·4
1972	106·3
1973	109·5
1974	109·2
1975	107·7
1976	110·2
1977	109·6
1978	114·3
1979	108·4
1980	90·3
1981	76·2
1982	72·8
1983	69·6
1984	66·6
1985	60·6
1986	58·3
1987	58·7

Mr. Fisher: To ask the Secretary of State for Health if he will publish a table showing how many people have been exempt from prescription charges, in each of the last 10 years, by virtue of being *(a)* over pensionable age, *(b)* a child, *(c)* pregnant, *(d)* in receipt of qualifying benefit, *(e)* on low income and *(f)* other exempted conditions.

Mrs. Currie *[holding answer 11 November 1988]:* The table shows the estimated numbers (in millions) of people who have been exempt from charges in each of the last 10 years because they were *(a)* over pensionable age *(b)* aged under 16, *(c)* an expectant mother, or a mother who had given birth to a child in the last 12 months, *(d)* in receipt of supplementary benefit or family income supplement (or were an adult dependent of such a person), *(e)* on a low income. Some people were exempt for more than one reason. The information on categories *(a)* to *(c)* is for England, on categories *(d)* and *(e)* for Great Britain.

I regret that information is not available on the numbers of people exempt from charges for other reasons.

	(a)	*(b)*	*(c)*	*(d)*	*(e)*
1978	8·2	10·8	0·7	3·7	n.a.
1979	8·2	10·6	0·8	3·6	[1]—
1980	8·3	10·4	0·8	3·9	[1]—
1981	8·4	10·3	0·8	4·8	0·1
1982	8·4	10·1	0·7	5·6	0·2
1983	8·5	9·9	0·7	5·8	0·3
1984	8·5	9·8	0·8	6·1	0·2
1985	8·6	9·7	0·7	n.a.	0·3
1986	8·6	9·6	0·7	6·5	0·3
1987	8·7	9·6	0·7	6·4	0·3

[1] less than 0·1

Cook-chill Catering

Mr. Hinchliffe: To ask the Secretary of State for Health why new guidelines on cook-chill catering, which his Department's chief environmental health officer said should have been published in August, have not yet been published.

Mrs. Currie: Because they are not yet ready.

Mr. Hinchliffe: To ask the Secretary of State for Health if he will take steps to introduce legislation limiting the length of retention and storage of cook-chill food products.

Mrs. Currie: No. Food legislation already places on those who sell or produce food a responsibility to ensure that the food is fit for human consumption and it is for them to make sure that their production and handling procedures are within the law.

Mr. Hinchliffe: To ask the Secretary of State for Health when his Department is planning to undertake an in-depth assessment of the microbiological safety of cook-chill catering with particular reference to listeria; and whether, in view of the alleged risks with this catering system, he will suspend its implementation in the National Health Service while this assessment takes place.

Mrs. Currie: Microbiological studies of food produced by the cook-chill process have been carried out within the public health laboratory service and are continuing. We keep the need for further action under review. Current guidance stresses the need for health authorities to seek appropriate professional advice when planning to introduce cook-chill catering.

Mr. Hinchliffe: To ask the Secretary of State for Health how many full-time scientific officers employed in the public health laboratory service are also running private laboratories engaged in research into cook-chill catering.

Mrs. Currie: None.

Mr. Hinchliffe: To ask the Secretary of State for Health what previous involvement Mr. Brian Hayward, the newly-appointed chairman of the Wakefield health authority, had with the expert group investigating the introduction of cook-chill catering during his membership of the Yorkshire regional health authority.

Mrs. Currie: Mr. Hayward chaired the group of experts set up by Yorshire regional health authority to investigate the safety and implementation of cook chill catering. We are grateful to Mr. Hayward for his service in this respect.

Committee on Medical Aspects of Food Policy

Mr. McLoughlin: To ask the Secretary of State for Health when he expects to publish the third report from the sub-committee on nutritional surveillance of the Chief Medical Officer's committee on medical aspects of food policy.

Mrs. Currie: Copies of the full text of the third report of the sub-committee on nutritional surveillance have been placed in the Library and a summary is being published today.

The committee on medical aspects of food policy (COMA) has advised that the expense involved in publishing in full this lengthy scientific report, which mainly consists of papers that have already appeared in the scientific journals, would not be justified. However we have thought it right to make a summary available to the general public, both as a record of British achievement in nutrition science and to maintain public awareness of the valuable work that the Government are sponsoring to increase scientific knowledge about nutrition and health.

Babies

Mr. Dobson: To ask the Secretary of State for Health (1) if he will give for each district health authority, for the latest three-year period for which figures are available, the number of children dying within a month of their birth, giving for each district health authority its ranking in England;

(2) if he will give for each district health authority, the number of babies weighing 2,500 grams or less at birth per 1,000 live births, of all weights to mothers resident in the district, giving for each district health authority its ranking in England.

Mrs. Currie: The information requested has been placed in the Library.

Mr. Dobson: To ask the Secretary of State for Health if he will give, for each district health authority, the number of registered nurses in special care baby units per 100 low birthweight births, giving for each district health authority its ranking in England.

Mr. Mellor: The information requested is available in the package of health service indicators produced by the Department. The latest information for 1986-87, is in the Library.

Crown Immunity

Mr. Ashley: To ask the Secretary of State for Health if there are any plans to remove Crown immunity from National Health Service properties.

Mrs. Currie: Crown immunity has already been removed from the National Health Service in respect of food legislation and health and safety legislation, as defined by the National Health Service (Amendment) Act 1986. New controls on emissions to the atmosphere are expected to come into force next year. The Department will be neither seeking nor would expect Crown immunity for health authorities from them.

Incinerators

Mr. Ashley: To ask the Secretary of State for Health (1) what proportion of hospital incinerators are estimated to be operating to standards which would not be permitted by institutions not protected by Crown immunity;

(2) what action has been taken to ensure that all hospital incinerators meet the standards that have to be met by institutions not protected by Crown immunity and what would be the resource implications of taking such action;

(3) how many district health authorities have received complaints about air pollution from hospital incinerators.

Mrs. Currie: Health authorities are required to comply with statutory standards on emissions to the atmosphere and the operation and maintenance of hospital incinerators notwithstanding Crown immunity. There is an established procedure whereby local authorities can raise instances of non-compliance with health authorities and bring the matter to the attention of the Department if it cannot be resolved locally. The Department then asks the appropriate regional health authority to investigate and ensure that appropriate remedial action is taken. Seven such referrals have been made in the last twelve months.

Information is not held centrally on the number of complaints made direct to district health authorities or the overall cost of improvements made to incinerators in response to complaints.

Mr. Ashley: To ask the Secretary of State for Health what is the estimated cost of upgrading National Health Service incinerators to meet the emission limits proposed by the European Economic Community draft directive on municipal waste incinerators.

Mrs. Currie: To comply with the anticipated new controls on emissions, health authorities will need to upgrade or replace the majority of hospital incinerators. If these were immediately replaced the cost would be in the region of £50 million, but it is anticipated that there will be a transitional period allowed for the replacement of existing installations. Many incinerators will therefore be upgraded or replaced at the end of their useful lives as part of the normal cycle of planned equipment renewal. Authorities will also be expected to review their waste disposal services taking account of the scope for rationalising and reducing the number of incinerator facilities and the contribution which the private sector can make to the disposal of clinical waste.

Fluoridation

Mr. Bowis: To ask the Secretary of State for Health what proportion of households receive fluoridised mains water; and what information he has as to the difference in dental health between such households and those in other parts of the United Kingdom.

Mrs. Currie: I regret that we do not hold information in the precise form requested. Some 5·5 million people in Britain benefit from fluoridated water (185,000 of these where the optimum level of fluoride occurs naturally in the water supply.).

Evidence in this country of the efficacy of fluoridation is well documented. For example, a study in fluoridated Newcastle and non-fluoridated North Manchester, (Duxbury et al 1985), showed that five-year-olds in Newcastle had approximately 60 per cent. less dental decay compared with their counterparts in Manchester. A similar study of 14-year-olds compared the levels of decay in fluoridated south Birmingham and non-fluoridated Bolton (Mitropoulos et al 1987). This showed that 32 per cent. of children in Birmingham were free of caries compared to only 19 per cent. in Bolton.

Hospital Waiting Lists

Mrs. Ann Winterton: To ask the Secretary of State for Health whether he has any information concerning the comparative average waiting times and numbers of patients currently on the waiting lists for ophthalmological procedures at present in *(a)* the Macclesfield health authority, *(b)* the Crewe health authority and *(c)* on average in England and Wales.

Mr. Mellor: I shall let my hon. Friend have as much information as can be obtained without incurring disproportionate cost as soon as possible.

Unleaded Petrol

Sir Philip Goodhart: To ask the Secretary of State for Health what instructions he has given for the modification of cars used by his Department and the National Health Service so that they can use unleaded petrol.

Mrs. Currie: There are approximately 60 official vehicles operated by the Department of Health. Instructions have been issued to have work done to convert the vehicles to run on unleaded fuel where it is technically possible to do so.

Vehicles which cannot run on unleaded fuel will gradually be replaced, as they reach the end of their economic life, by vehicles which can.

We are offering similar guidance to health authorities which are responsible for some 14,000 Crown cars and approximately 7,000 ambulances, many of which already run on lead free diesel, petrol or LPG fuel.

South Western Regional Health Authority

Mr. Steen: To ask the Secretary of State for Health what is the present establishment of the South Western regional health authority; and if he will set out in tabular form the categories of staff and the total running costs of the regional authority.

Mr. Mellor: The manpower establishment of South Western regional health authority on 30 September 1988 was 756 whole time equivalent staff. The categories are set out in the table. Net revenue expenditure in 1987-88 was £12 million, and the equivalent budgeted figure for 1988-89 is £13·1 million.

SWRHA Manpower Establishment Staff category	*September 1988 Numbers (WTE)*
Administrative and clerical	419·5
Ancillary	60·7
Maintenance	2·0
Nurses and Midwives	81·2
Medical	11·4
Professional and Technical (Works)	125·0
Other Professional and Technical	54·2
Pharmacists	2·0
Total	756

The figures include 285·5 WTE staff employed in the regional computer centre and the regional design service, which are both self-financing; and 244·6 in the blood transfusion centre.

Nurses

Mr. John Evans: To ask the Secretary of State for Health (1) which health authorities stipulate the continual presence of G grade nurses and over on high dependency units;

(2) whether his Department has any intention of stipulating that nursing staff of G grade and above must be on duty at all times in high dependency units.

Mr. Mellor: It is for health authorities to determine, in the light of the clinical needs of patients in individual units, the level of staffing, the grade mix and the working patterns needed in each clinical setting, and information of the kind requested is not held centrally.

Vaccination

Mr. Cryer: To ask the Secretary of State for Health how many doses of measles, mumps and rubella vaccine have been received by Bradford health authority in conjunction with the publicity campaign to promote vaccination, to the most recent practicable date; and if he will make a statement.

Mrs. Currie: Up to 10 November, 3,360 doses of MMR vaccine had been sent to Bradford health authority in response to orders placed. On provision of the vaccine to the country as a whole, I refer the hon. Member to the reply that I gave on 31 October to the hon. Member for Wolverhampton, North-East (Mrs. Hicks) at column *491*.

Elderly People

Mr. Alton: To ask the Secretary of State for Health what representations he has received about the operation of privately rented homes for the elderly in Liverpool; and if he will make a statement.

Mrs. Currie: We have received in the last six months one letter from the hon. Member dated 2 November, to which I will be replying shortly; and one other on the same subject to which my officials will reply shortly.

These letters concern the inspection of homes by the Liverpool city council as the registration authority. The council has however acted properly under the Registered Homes Act 1984.

Mr. Hinchliffe: To ask the Secretary of State for Health when the social services inspectorate will be in a position to report on its first national inspection on the standards of local authority aged persons' homes.

Mrs. Currie: The social services inspectorate is inspecting the arrangements in selected social services departments for managing the provision of residential care for elderly people. A sample of homes is being visited in the course of this inspection. The report on this study is expected by the summer of 1989. This is part of a national programme of work in support of the inspectorate's continuing task of monitoring local authority personal social services including residential care.

Smokeless Tobacco Products

Mr. Michael Brown: To ask the Secretary of State for Health if he will place in the Library the written representations he has received in response to the proposed ban of certain smokeless tobacco products.

Mrs. Currie: I will write to my hon. Friend.

Dental and Eye Testing Charges

Mr. Sheerman: To ask the Secretary of State for Health if he will exempt students in full-time higher education from charges for dental treatment.

Mrs. Currie: Full-time students under 19 are already exempt from dental charges. Others on a low income can get free treatment or help with the cost depending on their circumstances. We have no plans to extend these arrangements.

Mr. Allen: To ask the Secretary of State for Health how many people in *(a)* Nottingham and *(b)* Nottinghamshire will now be eligible to pay charges for (i) dental examinations and (ii) eye tests.

Mrs. Currie: I regret that the information requested is not available.

Mr. Shersby: To ask the Secretary of State for Health when he expects that the proposed charge for eye tests will be introduced.

Mr. Kenneth Clarke: I expect that free sight tests under the National Health Service will be confined to certain groups from 1 April 1989. From that date, the level of any fees for those ceasing to be entitled to an NHS test will be entirely a matter for the practitioner's own commercial judgment.

Hospital Closures

Mr. Fearn: To ask the Secretary of State for Health if he has any plans to issue directives to regional health authorities to halt the closure plans for hospitals for the mentally handicapped until a review of their programmes and the availablility of alternative methods of care has been conducted.

Mr. Mellor: The guidelines for health authorities' short-term programmes (HC(88)43) clearly directs authorities to develop a comprehensive and integrated range of services for mentally handicapped people giving good quality care for them in all settings. The closure of hospitals is not a primary aim and should come about as a consequence of all authorities' abilities to provide appropriate care in other ways, not for its own sake.

Mr. Fearn: To ask the Secretary of State for Health what effect circular HC (88) 43 has had on regional health authorities plans and action of running down and closing hospitals for the mentally handicapped.

Mr. Mellor: The circular provides guidelines for health authorities in formulating their short-term plans for '989-90, that is, the next financial year, not the current one. Reports from regional health authorities on their plans for 1989-90 will be submitted to the Department in 1989 and will include information on a wide range of services for mentally handicapped people.

Young People (Support Teams)

Mr. Hinchliffe: To ask the Secretary of State for Health how many local authorities currently employ after-care support teams working with young persons who are leaving care.

Mr. Mellor: We do not hold information in the form requested. However all local authorities have a general duty to safeguard and promote the welfare of children in their care throughout their childhood, which includes preparing them for leaving care, and specific powers and duties for certain groups of young people on leaving care.

Proposals to enhance the powers and duties of local authorities for children leaving care were contained in the Government's White Paper "The Law on Child Care and Family Services" (Cmd. 62).

Leukaemia

Dr. Cunningham: To ask the Secretary of State for Health what are the levels of leukaemia in children in the Fareham/Gosport area of south Hampshire; what are the figures for comparable areas in the south; and if he will make a statement.

Mrs. Currie *[holding answer 2 November 1988]:* A comprehensive reply, based on registration of newly diagnosed cases of leukaemia over a sufficient time period, could be provided only at disproportionate cost. However, the table shows mortality data for the counties and county districts of Hampshire, Dorset and West Sussex which are readily available for the period 1979 to 1987. Care should be taken in interpreting the mortality rates as these are based on small numbers of events.

Number of deaths and equivalent annual mortality rates (per million population) from leukaemia (ICD 204-208), age 0-14, England and Wales, selected counties and county districts (1979-1987).

Area	Male		Female	
	Number	Rate	Number	Rate
England and Wales	911	20·3	645	15·2
Hampshire	33	24·1	11	8·5
Basingstoke and Deane	3	21·1	1	7·4
East Hampshire	2	22·5	—	—
Eastleigh	5	54·5	—	—
Fareham	—	—	1	13·1
Gosport	2	24·4	—	—
Hart	1	12·1	2	26·1
Havant	5	42·4	—	—
New Forest	5	39·7	1	8·5
Portsmouth	2	14·2	4	29·2
Rushmoor	1	13·9	1	14·1
Southampton	4	22·1	—	—
Test Valley	1	11·7	1	12·9
Winchester	2	25·5	—	—
West Sussex	13	23·6	9	17·0
Adur	1	21·8	1	22·2
Arun	1	11·2	4	45·8
Chichester	2	27·1	—	—
Crawley	2	25·5	—	—
Horsham	3	33·0	1	12·1
Mid-Sussex	3	27·1	2	19·2
Worthing	1	16·1	1	16·1
Dorset	10	21·2	7	15·7
Bournemouth	2	21·0	1	11·2
Christchurch	—	—	2	74·1
North Dorset	—	—	—	—
Poole	1	9·9	2	21·4
Purbeck	1	29·2	—	—
West Dorset	3	46·3	2	34·2
Weymouth and Portland	1	21·4	—	—
Wimborne	2	33·7	—	—

Ethnic Minority Population

Mr. Dicks: To ask the Secretary of State for Health what estimates he has of the ethnic minority population in the year 2000 as a proportion of *(a)* the United Kingdom as a whole, *(b)* Birmingham, *(c)* Bradford, *(d)* Bristol, *(e)* Manchester, *(f)* Wolverhampton, *(g)* Halifax and *(h)* each of the London boroughs; and if he will make a statement.

Mrs. Currie *[holding answer 10 November 1988]:* The latest figures, published in "Population Trends 46", suggested that the total size of the ethnic minority population of Great Britain in the year 1991 would be about 3 million, or 5·4 per cent. of the total population of Great Britain. This is broadly in line with earlier projections, published in "Population Trends 16", which indicated that by the end of the century this population might be about 7 per cent. of the total. No projections of the ethnic minority population for local areas are available.

Mr. Dicks: To ask the Secretary of State for Health how many United Kingdom resident women born to parents from the new Commonwealth and Pakistan are now of child-bearing age; and what estimates he has of that figure by the year 2000.

Mrs. Currie *[holding answer 10 November 1988]:* I regret that the precise information requested is not available. It is estimated that for all ethnic minority groups combined during the period 1984 to 1986, there were about 618,000 women of childbearing age resident in Great Britain. Details are given in an article by Christopher Shaw included in "Population Trends 52".

Mr. Dicks: To ask the Secretary of State for Health, in the latest year for which figures are available, what percentage of births were to mothers from the new Commonwealth and Pakistan in each of the following areas: *(a)* Birmingham, *(b)* Bradford, *(c)* Bristol, *(d)* Manchester, *(e)* Wolverhampton, *(f)* Halifax and *(g)* each of the London boroughs.

Mrs. Currie *[holding answer 10 November 1988]:* The information requested is as follows:

Live births by birthplace of mother, 1987

Area of usual residence of mother	Percentage[1]
(a) Birmingham	23
(b) Bradford	24
(c) Bristol	5
(d) Manchester	11
(e) Wolverhampton	15
(f) Halifax (Calderdale)	9
(g) *Greater London*	21
Barking and Dagenham	7
Barnet	18
Bexley	6
Brent	42
Bromley	5
Camden	17
City of London	32
Croydon	15
Ealing	33
Enfield	19
Greenwich	11
Hackney	28
Hammersmith and Fulham	15
Haringey	27
Harrow	31
Havering	4
Hillingdon	14
Hounslow	25
Islington	18
Kensington and Chelsea	12
Kingston upon Thames	7
Lambeth	23
Lewisham	15
Merton	15
Newham	40
Redbridge	24
Richmond upon Thames	7
Southwark	22
Sutton	5
Tower Hamlets	46
Waltham Forest	29
Wandsworth	19
Westminster, City of	24

[1] Percentage of total births to mothers born in New Commonwealth or Pakistan.

Mental Health Services

Mr. McCrindle: To ask the Secretary of State for Health what is his policy as to whether a mentally-ill

person in residential care needing 24-hour nursing should be the responsibility of the National Health Service and whether such persons should be under the care of a consultant psychiatrist; and if he will make a statement.

Mrs. Currie *[holding answer 11 November 1988]:* Patients are usually the clinical responsibility of their general practitioner. In the case of those who are mentally ill the management of their illness in the short term and the long term is initiated by referral to psychiatric services often by the general practitioner. At times during their illness the care may be met by the psychiatrist alone (as an in-patient in hospital for example); at times by the psychiatrist and the general practitioner sharing the care (as for example when the patient is living in the community and seeing his general practitioner but still seeing the psychiatrist for out-patient follow-up); and ultimately when the patient has made a full recovery from his illness it is often the case that the patient is referred back to the care of his general practitioner.

Medical Negligence

Ms. Harman: To ask the Secretary of State for Health (1) what amount was paid out by *(a)* each regional health authority and *(b)* the family practitioner service in out-of-court settlements to the pursuers of claims alleging medical negligence for the years 1984-85, 1985-86 and 1986-87;

(2) if he will list, for each regional health authority in England and Wales, the total payments made in compensation to victims of medical accidents in each of the years 1984-85, 1985-86 and 1986-87.

Mr. Mellor *[holding answer 11 November 1988]:* I regret that the information is not available in the form requested. Questions about health authorities in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

The information held centrally is given in the table which shows compensation payments made by health authorities as recorded in their annual accounts. However, this information does not distinguish between compensation payments in respect of medical accidents and other compensation payments, for example, those in respect of damage to property or for unfair dismissal. Nor does it distinguish between payments made as a result of court decisions, out of court settlement or legal advice.

In the case of family practitioner services, general medical practitioners and other family practitioners are independent contractors and are individually responsible for any actions or claims arising from the services that they provide. Any costs arising from out of court settlements related to such actions are, therefore, a matter for the practitioner concerned.

Region	*1984-85* £	*1985-86* £	*1986-87* £
Northern	141,399	266,357	360,445
Yorkshire	322,560	526,650	975,346
Trent	318,972	480,459	636,355
East Anglian	222,633	220,737	212,037
North West Thames	534,736	340,419	401,463
North East Thames	766,875	474,501	1,218,109
South East Thames	469,300	594,659	481,922
South West Thames	320,771	785,099	551,560
Wessex	181,534	558,254	508,791
Oxford	133,937	204,803	395,219
South Western	305,779	208,190	411,820
West Midlands	371,489	1,666,715	1,356,637
Mersey	266,350	316,312	477,401
North Western	545,479	750,188	1,190,563
Special health authorities for the London postgraduate teaching hospitals	156,776	41,474	53,376
Total	5,058,590	7,434,817	9,231,044

CIVIL SERVICE

Non-smoking Areas

Mr. Maxwell-Hyslop: To ask the Minister for the Civil Service by what date arrangements will be made for non-smoking members of the Civil Service to work in conditions free from tobacco smoke.

Mr. Luce: It is for individual Departments to determine what arrangements they wish to make to allow non-smoking civil servants to work in conditions free from tobacco smoke, and when they wish to introduce such arrangements. The Government's policy on smoking in the Civil Service aims to create a non-smoking environment, with facilities for those who wish to smoke.

An increasing number of Departments have made steady progress in establishing smoke-free areas in their premises. My own Department, the Cabinet Office, has already begun to introduce a no-smoking scheme. We are always keen to share the lessons learnt from our experience and publicise the initiatives taken by others.

THE ARTS

London Museums Education Service

Mr. Bowis: To ask the Minister for the Arts what arrangements have been made to secure the future of the London Museums Education Service.

Mr. Luce: The Inner London boroughs will take over responsibility for education services in Inner London from 1 April 1990. Future arrangements for services which are now provided by the Inner London education authority on a London-wide basis are for discussion between interested organisations, including the London boroughs.

Collections (Disposal)

Mr. Fisher: To ask the Minister for the Arts how many representations he received, prior to the publication of his consultative paper "Powers of Disposal from Museums and Gallery Collections", from directors of national museums and galleries requesting a widening of powers of disposal.

Mr. Luce *[holding answer 7 November 1988]:* The directors and trustees of the national museums and galleries are considering the adequacy of their powers of disposal in the light of the consultative paper. Two institutions had already indicated prior to the publication of the paper that they would welcome some widening of the powers.

Mr. Fisher: To ask the Minister for the Arts whether he will list separately the present powers of disposal enjoyed by each of the national museums and galleries.

Mr. Luce *[holding answer 7 November 1988]:* The powers of disposal available to the trustees of the national museums and galleries for which my Department is responsible are laid down as follows:

British Museum
British Museum Act 1963 Section 5
British Museum (Natural History)
British Museum Act 1963 Sections 5 and 8
Imperial War Museum
Imperial War Museum Act 1920 Section 2
National Gallery
National Gallery and Tate Gallery Act 1954 Sections 2 and 6
National Maritime Museum
National Maritime Museum Act 1934 Sections 2 and 6
National Museums and Galleries on Merseyside
The Merseyside Museums and Galleries Order 1986 Article 6
National Portrait Gallery
Treasury Minutes of 2 December 1856 et seq appear to preclude disposals
Science Museum
National Heritage Act 1983 Section 14
Tate Gallery
National Gallery and Tate Gallery Act 1954 Sections 1, 2, 5 and 6
Victoria and Albert Museum
National Heritage Act 1983 Section 6
Wallace Collection
Deed of Trust of 27 July 1899 appears to preclude disposals

National Portrait Gallery

Mr. Fisher: To ask the Minister for the Arts whether he has taken legal advice on the powers of disposal of the national portrait gallery.

Mr. Luce *[holding answer 7 November 1988]:* The national portrait gallery, unlike most of the other national museums and galleries, is governed by a series of Treasury minutes rather than by statute. The trustees' powers of disposal are not made explicit in the Treasury minutes but the legal advice I have is that they very probably do not have any such powers.

I am intending to introduce legislation which will, among other things, grant corporate status to the national portrait gallery trustees. The legislation will make clear what the board's powers and duties are to be, on this and other matters.

ENVIRONMENT

Wales

Mr. Wigley: To ask the Secretary of State for the Environment if he will list those aspects of his responsibilities which include a functional responsibility within Wales.

Mr. Ridley: Normally my responsibilities cover England alone, but in some cases they entail a functional responsibility within Wales. These are as follows:—

1. *Property Services Agency*
Responsibility for the functions of the Property Services Agency: providing, managing, maintaining and furnishing property used by the Government througout the United Kingdom and abroad.

2. *Conservation and wildlife*
(a) Registration and inspection of birds listed under schedule 4 of the 1981 Wildlife and Countryside Act.
(b) Registration and inspection of sellers of dead birds.
(c) Licensing of various activities relating to birds, as specified under the 1981 Wildlife and Countryside Act.
(d) Issuing reports to the EC on the UK implementation of and derogation from the EEC birds directive and reports relating to the United Kingdom's obligations under the Berne, Bonn and other international agreements.
(e) Issuing import and export licences under the convention on international trade in endangered species to applicants from Wales.
(f) Supporting the commons commissioners who adjudicate in disputes over the registration of common land and village greens in England and Wales under the 1965 Commons Registration Act.
(g) Representing the United Kingdom at international fora covering wild life matters.

3. *Environmental Affairs*
Covering the Welsh interest in the United Kingdom's international dealings on the environment.

4. *Local Government Affairs*
(a) Responsibility for the local government superannuation regulations and for related appeals by local government staff.
Similar responsibilities in respect of compensation for local government staff made redundant or retired early.
(b) Responsibility for most functions relating to the rating system throughout England and Wales, and for regulations as to the form of mortgages and the terms of issue of stocks and bonds entered into or issued by local authorities for the purpose of borrowing and connected matters. However, under the new local government finance system, these functions will be transferred to my right hon. Friend, the Secretary of State for Wales.

5. *Water Services*
Sponsorship and regulatory functions in respect of the Severn Trent water authority, part of whose area lies within Wales.

6. *Housing and Construction Industry*
(a) Responsibility for making regulations relating to building control in England and Wales. The administration of the regulations in Wales is, however, a matter for my right hon. Friend the Secretary of State for Wales.
(b) Responsibility for general sponsorship of the construction industry throughout the United Kingdom relating to:
— policy on construction codes and standards
— EC matters
— export promotion
— public purchasing policy affecting the construction industry
— collection of statistics from private contractors
(c) Responsibility for the administration of the homeloan scheme and the option mortgage guarantee scheme both in England and Wales, except where the head offices of participating institutions are in Wales.

7. In addition I sponsor a number of public bodies whose remit includes Wales. My responsibilities in these cases extend to such matters as the appointment of members and the provision of grant-in-aid.

Water

Mr. Heddle: To ask the Secretary of State for the Environment if he has any plans to request each of the regional water authorities in England and Wales to prepare a detailed schedule of their land and property holdings prior to privatisation.

Mr. Howard: Information on the assets which will pass to the companies succeeding the regional water authorities is being assembled by the firms appointed as reporting accountants for each authority.

Housing

Mr. Ralph Howell: To ask the Secretary of State for the Environment what is the current total expenditure on housing services for *(a)* those in the public sector, *(b)* those in the private sector and *(c)* other housing which cannot be allocated to one of the above categories, excluding any money paid out under the housing benefit scheme.

Mr. Trippier: The forecast outturn of public expenditure within programme 7 (DOE—Housing) for 1988-89 is as follows:

	£ million
[1] Support to the public sector	
gross capital	2,638
current	1,286
[2] Support to the private sector	
gross capital	1,526
current	43

Notes:

[1] Includes local authority and new town capital expenditure on housing for rent; central Government housing subsidies to local authorities and new towns; rate fund contributions; and other central and local government current expenditure.

[2] Includes the capital expenditure of housing associations on provision for rent and on low-cost home ownership initiatives; central Government current subsidies to housing associations; and home improvement grants and other grants to private individuals for the improvement and renovation of their homes.

Mr. Allen: To ask the Secretary of State for the Environment what proposals he has to reduce the shortage of low-priced housing in Nottingham.

Mr. Trippier: With its big housing investment programme and the wide range of Government initiatives, Nottingham city council has unrivalled scope for enabling housing associations and the private sector to produce low-priced housing.

Mr. Cox: To ask the Secretary of State for the Environment what has been the number of council houses built in Greater London in each of the last three years.

Mr. Trippier: The total number of dwellings completed by London boroughs and the Greater London council in each of the years 1985 to 1987 appear in table 6.4(b) of "Housing and Construction Statistics 1977-1987", a copy of which is available in the Library.

Mr. Allen: To ask the Secretary of State for the Environment if he will discuss the level of housing investment programme finance for Nottingham with local councillors.

Mr. Trippier: My officials have made arrangements to discuss Nottingham's housing investment programme for 1989-90 with the city council on 29 November. This is an opportunity for councillors to bring any particular problems to my notice.

Mr. Wray: To ask the Secretary of State for the Environment what is, for each year since 1974 and in 1988 money, the total amount of public funds spent in England and Wales on housing *(a)* maintenance, *(b)* repairs and *(c)* building.

Mr. Trippier: This information is not readily available in the form requested.

Local Government Finance

Mr. Ralph Howell: To ask the Secretary of State for the Environment what was the total, or actual and in real terms, of total expenditure on local government in 1970, 1979, 1984 and 1988.

Mrs. Virginia Bottomley: Local authority expenditure in the United Kingdom in cash and real terms is as follows:

	£ million cash	*real[1] (1987-88 prices)*
1970-71	6,759	37,477
1979-80	24,740	43,438
1984-85	38,730	44,408
1987-88	44,484	44,484

Note:

The 1988-89 figures are not yet available.

[1] Using the GDP deflator to convert cash values into constant prices.

Mr. Ralph Howell: To ask the Secretary of State for the Environment what is the average cost of a local government employee; and if he will break down the average cost into pay, national insurance, superannuation and other costs, respectively.

Mrs. Virginia Bottomley: The available information is as follows:

Cost of full-time equivalent (FTE) posts in local for 1987-88[1]

Average of FTEs (over 4 quarters)	*Annual cost*	*Average Annual Cost per FTE[3]*
	£ million	*£*
1,925,800	[2]23,750	12,300

[1] Figures shown are for England and include agency staff.

[2] Includes—

gross pay, together with payments and allowances, compensation for loss of office and redundancy payments;
employers share of national insurance contributions;
contributions to superannuation funds and beneficiaries under pension schemes—eg. police and firemen;
payments made to staff which are later reimbursed by central Government, MSC etc.

but excludes—

payments for training expenses, removal expenses etc;
transfer values on superannuation funds;
allowances paid to councillors.

[3] A breakdown of the costs is not available.

Mr. Allen: To ask the Secretary of State for the Environment if he will meet Nottingham city council in the near future to discuss local government finance for the area.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State has published his proposals for the 1989-90 rate support grant settlement on 11 November 1988. Any representations from Nottingham city council will be taken into account and any request for a meeting will be considered.

Stamford Bridge Stadium

Mr. Cox: To ask the Secretary of State for the Environment whether he is now able to confirm the planning consent in respect of the Stamford Bridge stadium granted by Hammersmith and Fulham borough council in December 1987.

Mr. Chope: No. The report of the inspector has just been received. The decision will be issued as quickly as possible.

Bed-and-Breakfast Accommodation

Mr. Allen: To ask the Secretary of State for the Environment what are the latest figures for households in bed-and-breakfast accommodation *(a)* in Nottingham and *(b)* in England as a whole.

Mr. Trippier: Latest estimates of households temporarily placed in bed and breakfast accommodation by English local authorities appear in table 4(a) and numbers reported by individual authorities in table 7 of "Local authorities' action under the homelessness provisions of the 1988 Housing Act: England. Results for the second quarter 1988. Supplementary Tables", which is available in the Library.

Rating Reform

Mr. Allen: To ask the Secretary of State for the Environment what financial and other assistance his Department will offer to promote public understanding of the poll tax *(a)* in Nottingham and *(b)* in England and Wales as a whole.

Mrs. Virginia Bottomley: As explained in the answer to my hon. Friend the Member for Banbury (Mr. Baldry) on 21 October at column *1034*, local authorities will be receiving in 1989-90 specific Government help with the capital and revenue costs of preparing for the community charge. Between now and April 1990 the Government will be publishing material to help public understanding of the community charge; we are considering what form this material might best take. It will be for individual authorities to consider whether to provide additional material.

Mr. Allen: To ask the Secretary of State for the Environment what is his assessment of the expected effect of the introduction of the unified business rate in *(a)* Nottingham and *(b)* the east midlands region.

Mr. Gummer: On the basis of present rate poundages, business rates would fall on introduction of the uniform business rate in 1990 by 15 per cent. (£10 million) in Nottingham and by an average of 13 per cent. (£86 million) in the east midlands region; thereafter, they will rise by no more than the retail price index. These figures take no account of the revaluation of business property which is to take place in 1990.

Mr. Cohen: To ask the Secretary of State for the Environment, pursuant to his reply of 28 October, *Official Report*, column *426*, whether the regulations will prescribe a penalty if an individual attempts to make a copy of the extract of the register; and whether he will outline the advice that will be given to community charge officers if they suspect a person of taking an unauthorised copy of the extract of the register.

Mr. Gummer: The regulations will not prescribe a penalty, since there is no power to do so. We are advising registration officers that, should they find a person attempting to copy the extract, they should take appropriate preventive action.

Mr. Allen: To ask the Secretary of State for the Environment what is his latest estimate of *(a)* the average community charge payment in 1990-91, *(b)* the community charge payment in Nottingham in 1990-91 and *(c)* the average community charge payment for those on income support in 1990-91.

Mr. Gummer: I shall write to the hon. Member.

Mr. Allen: To ask the Secretary of State for the Environment if he has received any representations on the poll tax from the Nottingham city council.

Mr. Gummer: Nottingham city council has made no representations about any poll tax. It has, however, written letters dated 30 July 1986 and 15 April 1987 about the Government's rate reform proposals.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment whether his Department has conducted any studies into the likely effect in recruitment of *(a)* student nurses and *(b)* nurses following the introduction of the community charge in areas of above average projected levels of community charge; and if he will make a statement.

Mr. Mellor: I have been asked to reply. I refer the hon. Member to the reply given by my right hon. Friend the Minister for Environment on 28 October at column *426*. We have decided that the definition of "full-time students" for community charge purposes should not be widened to include student nurses who continue to be trained under the existing pre-Project 2000, arrangements and have average earnings of between £5,400 and £6,200. Qualified nurses are about to receive pay increases averaging 17·9 per cent.; the level of community charge will doubtless be determined by local authorities with full regard to the likely effect on employment with all local employers, not just the National Health Service.

River Trent

Mr. Allen: To ask the Secretary of State for the Environment what information he has on the condition of the Trent and its tributaries in *(a)* Nottingham and *(b)* Nottinghamshire.

Mr. Moynihan: The quality of the Trent has been improved significantly in recent years. It now fully meets its quality objective of class 2 (fair) quality as it flows through Nottingham and Nottinghamshire and supports good coarse fisheries.

I understand from the Severn Trent water authority that most of the main Nottinghamshire tributaries of the Trent also now meet its quality objectives. The main exceptions are the rivers Erewash, Maun and Idle which are still below standard. Planned improvements to the authority's sewage treatment works should result in these rivers generally achieving their quality objectives by the mid-1990s.

Competitive Tendering

Mr. Allen: To ask the Secretary of State for the Environment if he will visit Nottingham city council to discuss the effect of competitive tendering in local government.

Mrs. Virginia Bottomley: My right hon. Friend the Minister for Local Government visited Nottingham on 19 October and discussed with Nottingham city council a range of local government issues, including competitive tendering.

Pollution

Mr. Cox: To ask the Secretary of State for the Environment if he will list the action taken by his Department to monitor pollution in waters around the United Kingdom; and if he will make a statement.

Mr. Moynihan: Primary responsibility for monitoring coastal and estuarial waters in England and Wales rests with the regional water authorities. The Department is not directly involved but does periodically review the authorities' monitoring programmes. The results of monitoring river and estuarial water quality are published every five years by the Department and the Welsh Office in the river quality survey of England and Wales. A copy of the 1985 survey report is available in the Library.

Rate Support Grant

Mr. Allen: To ask the Secretary of State for the Environment what factors he will take account of in setting the rate support grant for Nottingham city council for 1989-90.

Mrs. Virginia Bottomley: The Secretary of State's proposals for the 1989-90 RSG settlement are set out in the consultation paper issued on 11 November. Copies have been sent to all local authorities, and have been placed in the Library.

Mr. Allen: To ask the Secretary of State for the Environment by what percentage rate support grant *(a)* to Nottingham city council and *(b)* to Nottinghamshire county council has changed relative to the rate of inflation for each year since 1979; and what are the reasons for the difference in each year.

Mrs. Virginia Bottomley The information requested is listed below:

Percentage change in rate support grant relative to the rate of inflation[1]

	Nottingham city council	*Nottinghamshire county council*
1979-80—80-81	−7·1	0·9
1980-81—81-82	—[2]	—[2]
1981-82—82-83	−0·9	−12·3
1982-83—83-84	4·4	−8·7
1983-84—84-85	−3·5	6·4
1984-85—85-86	10·0	−9·7
1985-86—86-87	9·8	−16·0
1986-87—87-88	−13·1	+9·7
1987-88—88-89	−1·4	−6·2

Notes:

[1] Percentage changes have been calculated after converting cash values of the rate support grant into constant prices using the GDP deflator.

[2] Not available, as the basis for the rate support grant was different in 1980-81 and in 1981-82.

The percentage changes are based on latest grant entitlements. These are final for the years 1979-80 to 1984-85. The changes in grant from each year to year reflect changes in the total amount of grant available and changes in the distribution of that total between authorities. Changes in grant distribution in turn reflect changes in GRE methodology and data, changes in grant mechanisms—such as the abolition o. targets and holdback and steeper slopes of the poundage schedule introduced in the 1986-87—and authorities' spending decisions.

Mr. Allen: To ask the Secretary of State for the Environment how much Government grant in total has been lost by *(a)* Nottingham city council and *(b)* Nottinghamshire county council as a result of penalties imposed because of over-spending in each of the years since 1979.

Mrs. Virginia Bottomley: My right hon. Friend the Secretary of State issued expenditure guidance to local authorities only for the years 1981-82 to 1985-86: those authorities that spend above their guidance figure were subject to grant abatement. The figures requested are set out in the table below. They are based on the latest information available.

Block grant abated due to expenditure in excess of guidance 1980-81 to 1985-86

£ thousand

	Nottingham City	*Nottinghamshire*
1981-82	0	19
1982-83	0	15,210
1983-84	30	22,072
1984-85	0	2,147
1985-86	0	0

Unleaded Petrol

Mr. Boswell: To ask the Secretary of State for the Environment if he will arrange for regular monitoring and publication of the uptake of unleaded petrol.

Mrs. Virginia Bottomley: We monitor closely the uptake of unleaded petrol. Regular reports from the industry and Her Majesty's Customs and Excise are provided at meetings of the unleaded petrol group which I chair. We are considering ways in which this information might usefully be published more widely.

Sir Anthony Grant: To ask the Secretary of State for the Environment if he will make a statement on the progress being made in changing from leaded to unleaded petrol; what representations he has received on the subject; and what steps are being taken to increase the rate of take-up of unleaded fuel.

Mrs. Virginia Bottomley: Encouraging progress is being made with the introduction of unleaded petrol. It is now available at some 2,300 petrol stations. The number is continuing to grow rapidly. The obstacles are no longer availability or the price of unleaded petrol. The Chancellor's action in the last Budget ensured that unleaded petrol is now on sale some 6p per gallon below the price of 4-star petrol and comfortably below that of 2-star.

Soon, new models of cars (from October 1989) and new cars of any model (October 1990) will have to be able to run on unleaded petrol. The task in the next few months is to overcome ignorance and apathy. For every motorist now saving 4-6p a gallon while protecting the environment, there are 30 other motorists wasting money and needlessly damaging the environment.

I have received a number of representations on the subject. I chair regular meetings of the unleaded petrol group, at which the oil and motor industries, CLEAR (the Campaign for Lead-Free Air), motoring organisations and consumer bodies are represented.

We have taken steps to encourage the uptake of unleaded petrol including providing publicity material in the form of a general information leaflet, a list and chart of cars which can run on unleaded petrol without adjustment, a map of unleaded petrol stations, posters for display in garage service areas encouraging motorists to have their cars adjusted to run on unleaded petrol, unleaded petrol stickers, information about every new car's capability of using unleaded petrol, general information about unleaded petrol in the Department of Transport's new car fuel consumption booklet which is published twice a year and agreement with the Department of Transport to distribute a leaflet on unleaded petrol with vehicle licence reminders. In addition, there is publication of a DOE guidance note on the appropriate labelling of vehicles; and funding of CLEAR to provide a general information service.

Sir Anthony Grant: To ask the Secretary of State for the Environment what further studies his Department is undertaking into catalytic converters for vehicles; and if he will make a statement of Government policy on such research.

Mrs. Virginia Bottomley: It is for industry to develop products which meet standards laid down. The Government's aim in setting vehicle emission standards is to achieve effective reductions, based on the best technical and scientific understanding of abatement technology and impact on the environment.

To this end the Warren Spring and Harwell laboratories, under the Department's air pollution research programme, have studied the emissions of vehicles equipped with catalytic converters and their potential effects on air quality. In conjunction with the Department of Transport, the Department plans next year to carry out a further study of pollutant emissions from vehicles in use. Consideration is being given to how this might include vehicles equipped with catalysts. New information on the actual performance in use of catalytic converters and other approaches to vehicle emission control will be used, as it becomes available, to refine estimates of the potential impact on air quality.

Sir Philip Goodhart: To ask the Secretary of State for the Environment what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol

Mr. Chope: The Crown Suppliers (a trading fund of the Property Services Agency) have issued instructions to their regional transport managers that all vehicles which can be converted to run on unleaded petrol should be so converted at the earliest opportunity and no later than the next scheduled service. It is also the Crown Suppliers' policy to replace vehicles with those capable of running on unleaded petrol whenever possible.

Housing Departments (Staff)

Mr. Ralph Howell: To ask the Secretary of State for the Environment what was the total number of staff employed in local authority housing departments in 1979 and at the present date.

Mrs. Virginia Bottomley: The total number of staff employed in the administration of housing matters in local authorities in England was 47,305 full-time equivalents in June 1979 and 60,563 full-time equivalents in June 1988.

Council Houses

Mr. Ralph Howell: To ask the Secretary of State for the Environment what was the total number of council-owned houses *(a)* in England and *(b)* in the United Kingdom in 1979 and at the present date.

Mr. Trippier: I shall write to my hon. Friend.

Waste Management Paper 27

Mr. Butler: To ask the Secretary of State for the Environment when he expects to publish Waste Management Paper 27.

Mrs. Virginia Bottomley: The waste management paper on the control of landfill (Waste Management Paper 27) will be published in January 1989.

Acids and Alkalis (Disposal)

Mr. Butler: To ask the Secretary of State for the Environment when he intends to publish a paper on the disposal of acids and alkalis; and when publication was originally expected.

Mrs. Virginia Bottomley: I shall write to my hon. Friend.

Air Pollution

Mr. Ashley: To ask the Secretary of State for the Environment what statements have been made by his Department regarding the effect of Crown immunity on air pollution.

Mrs. Virginia Bottomley: The 1986 Consultation Paper "Air Pollution Control in Great Britain: Review and Proposals" stated that Crown immunity does not imply lower standards than elsewhere. Where atmospheric emissions are judged to be a statutory nuisance the Secretary of State has the power under the Clean Air Act 1956 to require the use of best practicable means to abate the nuisance.

Welcoming the third report of the hazardous waste inspectorate my hon. Friend, the Member for Lewisham, East (*Official Report*, 22 June 1988, column *626*) reported that health authorities no longer have Crown immunity from the requirements of the Health and Safety at Work etc. Act 1974 and that it was intended that the new controls on incinerator emissions associated with the proposed new air pollution legislation would apply to health authorities as to all other operators.

Housing (Consultative Document)

Mr. Soley: To ask the Secretary of State for the Environment if he will place copies in the Library of all the responses his Department has received to the consultation document on houses in multiple occupation which he issued in July.

Mr. Trippier: A list of the responses received to date has been placed in the Libraries of both Houses. Copies of the responses are available in the library at the Department of the Environment, 2 Marsham street, SW1.

Green Belt

Mrs. Ann Winterton: To ask the Secretary of State for the Environment whether the advice contained in circulars 42/55, 50/57 and 14/84, and in planning policy guidance note 2, applies equally to green belts across the United Kingdom.

Mr. Chope: The advice in these documents applies equally to all green belts in England. There is no green belt in Wales. Green belt policy in Scotland and Northern Ireland is the responsibility of my right hon. Friends.

Mrs. Ann Winterton: To ask the Secretary of State for the Environment whether the advice contained within planning policy guidance note 2 on the need to maintain the green belt boundaries in the long term overrides the requirement for a five-year housing land supply contained in planning policy guidance note 3.

Mr. Chope: PPG2 advises that established green belt boundaries should be altered only in exceptional circumstances. PPG3 makes clear that the absence of an indentified five year's supply of land does not in itself create a presumption in favour of development
"where there are clear planning objections which in the circumstances of the case outweigh the need to make the land available for housing".
The relative weight to be accorded to advice in PPG's will depend on the particular circumstances of each case.

Council Employees (Manchester and Stockport)

Mr. Favell: To ask the Secretary of State for the Environment how many borough council employees there are per thousand head of population in *(a)* Manchester and *(b)* Stockport.

Mrs. Virginia Bottomley: The number of staff per thousand is 88 in Manchester and 44 in Stockport according to latest available figures.

Radioactivity

Dr. Cunningham: To ask the Secretary of State for the Environment whether he has received any reports of abnormally high levels of atmospheric radioactivity in the Greater Manchester area on the night of Friday 28 October; and if he will make a statement.

Mr. Ridley: I shall write to the hon. Member.

Mr. Allen: To ask the Secretary of State for the Environment if his Department monitors levels of radioactivity in the Nottingham area.

Mrs. Virginia Bottomley: Her Majesty's inspectorate of pollution carried out monitoring with respect to premises authorised under the Radioactive Substances Act 1960 where this is deemed necessary to confirm that radioactive discharge levels are environmentally safe. In addition a RIMNET monitoring station has been set up at Watnall in the Nottingham area.

Planning (Berkshire)

Sir Michael McNair-Wilson: To ask the Secretary of State for the Environment how many planning appeals relating to Berkshire were made to his Department in 1987; and how many were approved.

Mr. Chope: A total of 707 appeals were received; 520 were determined; and 292 were allowed.

Sir Michael McNair-Wilson: To ask the Secretary of State for the Environment when he expects to publish his final decisions about the proposals in the review of the Berkshire structure plan.

Mr. Chope: My right hon. Friend's final approval of the Berkshire replacement structure plan was published on Friday 11 November.

City Technology College (Bradford)

Mr. Cryer: To ask the Secretary of State for the Environment whether he has received any application under the provisions of the Local Government Act 1972 for the sale of land in Bradford for the site of a city technology college; and if he will make a statement.

Mr. Chope: No such applications have been received.

RIMNET

Mr. Alton: To ask the Secretary of State for the Environment how many personnel are employed by RIMNET.

Mrs. Virginia Bottomley: The core of the RIMNET team consists of three people. Other managerial staff are involved as appropriate.

Mr. Alton: To ask the Secretary of State for the Environment (1) how many incidents have been detected by RIMNET;

(2) how serious an incident has to be before RIMNET makes it public;

(3) to whom RIMNET reports;

(4) what parts of the United Kingdom come within RIMNET's monitoring remit; and which areas are excluded;

(5) what action is taken by RIMNET when an abnormally high level of radiation is detected;

(6) what level of radiation is regarded by RIMNET as being abnormally high.

Mrs. Virginia Bottomley: I refer the hon. Member to my answer to his request for a general statement regarding RIMNET.

Mr. Alton: To ask the Secretary of State for the Environment what is RIMNET's budget.

Mrs. Virginia Bottomley: The provision for RIMNET in the current financial year is £2 million.

Mr. Alton: To ask the Secretary of State for the Environment if he will make a statement on the work of the radiation incident monitoring network.

Mrs. Virginia Bottomley: My right hon. Friend, the Secretary of State for the Environment is responsible for the operation of the national radiation incident monitoring network, designed to handle future overseas nuclear incidents.

As I stated in my previous reply of 28 October at column 428, the 46 monitoring stations throughout the United Kingdom, became operational in June and are now feeding data to London. We hope to accept the associated computer and telecommunications system for phase 1 of

RIMNET from the contractor shortly. RIMNET will automatically trigger an alert if radiation rises above the normal background level at one or more of the monitoring stations. This background level will vary from station to station. No incidents have yet been detected. The procedures for responding to an alert, which involve informing interested organisations and the public, are included within the national response plan details of which are set out in the Department of the Environment booklet. "The National Response Plan and Radioactive Incident Monitoring Network (RIMNET). A Statement of Proposals" published by the HMSO, copies of which have been placed in the Library of the House.

Mr. Terry Fields: To ask the Secretary of State for the Environment if he has ascertained the sources of reports of a radioactive cloud over the north-west of the United Kingdom on Friday 28-29 October; what steps were taken to check any probable source of radiation; what level of monitoring is currently undertaken in this as against other parts of the country; if he will consider 24-hour monitoring as an alternative to the Government's RIMNET system; and if he will make a statement.

Mrs. Virginia Bottomley: No releases of radioactivity to the environment have been either notified to or detected by the Department. When operational, phase 1 of the RIMNET system will provide 24-hour monitoring at some 40 sites. Abnormal levels of radiation in the environment reported to Her Majesty's inspectorate of pollution are always investigated.

Pollution (Greater Manchester)

Dr. Cunningham: To ask the Secretary of State for the Environment what atmospheric monitoring facilities exist in the Greater Manchester area for the detection and measurement of pollution; who is responsible for the operation of such facilities; and to whom they report.

Mr. Ridley: The table below gives details of the air pollution monitoring undertaken on behalf of his Department and, so far as can be ascertained, on behalf of other bodies.

Number of monitors for specified pollutants	*Operator of monitor*	*Recipient of data*
20—smoke/sulphur dioxide (SO_2)	local authorities (co-ordinated by DTI's Warren Spring Laboratory)	DOE
1—lead in petrol	"	"
1—nitrogen dioxide (NO_2)	Warren Spring Laboratory	"
1—gamma radiation	Meteorological Office	DOE (part of RIMNET)
54—smoke/SO_2	local authorities	local authorities
approx 25—NO_2	local authorities	local authorities
approx 40—monthly monitoring for radioactivity	local authorities	local authorities
1—smoke/SO_2	Salford University	Salford University
1—lead	Salford University	Salford University
11—acid rain	local authorities, Greater Manchester Scientific Services Laboratory and the Acid Rain Information Centre (Manchester Polytechnic)	Acid Rain Information Centre (Manchester Polytechnic), grant-aided by DOE

[1] Continuous monitoring for EC Directives.

Water Supplies (Palace of Westminster)

Mr. Cohen: To ask the Secretary of State for the Environment whether any of the water supplied to Parliament comes via lead pipes; and if he will make a statement.

Mr. Chope: None of the water to taps within the Palace of Westminster which are labelled for drinking purposes is supplied through lead pipes. The position regarding other taps not so labelled is less clear and some supplies may still pass through sections of lead pipes.

Development Corporations

Mr. Parry: To ask the Secretary of State for the Environment if he will list in the *Official Report* the grants made to development corporations at the latest date.

Mr. Trippier: The Supply Estimates for 1988-89 (Cm. 339) set out the allocation of grants to urban development corporations. My right hon. Friend the Secretary of State proposes to make some adjustments to those figures; the proposed amendments will be set out in the Winter Supplementaries which will be laid before the House shortly.

Mr. Parry: To ask the Secretary of State for the Environment what steps he has taken to monitor the working of development corporations; and if he will make a statement.

Mr. Trippier: My right hon. Friend the Secretary of State continuously monitors the working of urban development corporations. Each UDC brings forward annual plans which are reviewed by and discussed with Ministers; the implementation of the UDC's programme is monitored during the year; and each UDC is required by statute to make an annual report to the Secretary of State, incorporating its audited accounts. The Secretary of State is required to lay the annual report before the House.

Mr. Parry: To ask the Secretary of State for the Environment how much public money has been spent on the Merseyside development corporation to the latest date.

Mr. Trippier: To date Merseyside development corporation has invested £180 million of public sector funding in its area.

Mr. Alton: To ask the Secretary of State for the Environment what representation Liverpool city council had on the board of the Merseyside development corporation; and if he will make a statement.

Mr. Trippier: Liverpool city council has had no member on the board since 1983 when the new Labour Council decided not to nominate a successor to Sir Trevor Jones. In January this year the council was invited to nominate a member but it has not done so.

Mr. Alton: To ask the Secretary of State for the Environment if he will make a statement on the sale of 30 acres of development corporation land by the Merseyside development corporation for housing purposes, detailing the type of housing, its anticipated cost, the mix of housing and its proposed control.

Mr. Trippier: I am not sure which particular land the hon. Member is referring to. However, there is a planning

permission for residential development of 27 acres of land at Dingle lane in Merseyside development corporation's riverside development area. The information I can give is limited because MDC is negotiating the sale of the land with a housebuilder and details have not been finalised. I understand that the present plans are for about 180 houses for sale ranging from terraced to detached, at a broad range of prices. The form of development will be controlled by the development corporation as planning authority and through the covenants contained in the building licence/sale documents.

Water Industry

Mr. Blunkett: To ask the Secretary of State for the Environment what restrictions will be placed on current water gathering grounds in terms of use and resale in order to secure public access to environmental amenities after privatisation of the water industry.

Mr. Moynihan: The Government propose that the present duty of the water authorities to have regard, in discharging their functions, to the desirability of preserving public rights of access to catchment land in their ownership should apply after privatisation to both the NRA and the privatised water undertakers.

Mr. Blunkett: To ask the Secretary of State for the Environment what restrictions are envisaged in order to prevent or regulate planning applications for permanent structure on current water authority holdings after privatisation of the water industry.

Mr. Moynihan: No special restrictions are contemplated. Development on land owned by the water authorities is governed by the general planning legislation relevant to the area in question and the circumstances of the particular proposal. This will be unaffected by changes in the ownership of the water industry.

Mr. Blunkett: To ask the Secretary of State for the Environment what valuation has taken place so far in terms of land holdings and assets of each regional water authority in preparation for the privatisation of the water industry.

Mr. Moynihan: I refer the hon. Member to the reply I gave to the hon. Member for Houghton and Washington (Mr. Boyes) on 31 October at column *538*.

Mr. Allen: To ask the Secretary of State for the Environment if he proposes that the privatised water companies will be open to purchase by a consortium of local authorities.

Mr. Moynihan: I know of no powers under which a consortium of local authorities could do so and I have no proposals to enable them so to do.

Housing (Nottingham)

Mr. Allen: To ask the Secretary of State for the Environment if he will make supplementary capital allowances available to bring up to standard BISF-style homes in Bilborough, Nottingham.

Mr. Trippier: If Nottingham city council has proposals to aid owners of BISF houses through home improvement grants, it will no doubt wish to bring these forward at its discussions with the Department's regional office later this month, on the 1989-90 HIP allocation.

Mr. Allen: To ask the Secretary of State for the Environment if he has written to those building societies which are currently refusing to lend on BISF homes in Bilborough, Nottingham; and if he will make a statement.

Mr. Trippier: We have taken this matter up with the Building Societies Association, which has been in touch with the societies concerned; and we hope to enter into further discussions very shortly.

Mr. Allen: To ask the Secretary of State for the Environment (1) if, pursuant to his statement on 27 June, *Official Report*, columns *162-63*, he will meet the hon. Member for Nottingham, North and a delegation of BISF home owners from Bilborough, Nottingham, to discuss the designation of their properties under section 28 of the Housing Act 1985;

(2) if, pursuant to the answer of 27 October, *Official Report*, column 406, he will make it his policy to write to Nottingham city council and to the Bilborough BISF group to seek their views on the housing defects legislation.

Mr. Trippier: I have writen to the hon. Member proposing a meeting to discus the morgageability of BISF houses in Nottingham. This could provide an opportunity for home owners and the city council to put forward their views, although I have to say that we do not consider this to be a case where use of the housing defects legislation would be appropriate.

Mr. Allen: To ask the Secretary of State for the Environment (1) if he will consider additional assistance to Nottingham city council to relocate those elderly people who wish to move from three-bedroom council homes to smaller housing;

(2) if he will publish in the *Official Report* the housing investment programme bids and the allocations for Nottingham for each year since 1979-80 in constant terms; and if he will make a statement.

Mr. Trippier: I shall write to the hon. Member.

Mr. Allen: To ask the Secretary of State for the Environment if he will give figures showing the average discount on sales of Nottingham city council properties and the England and Wales average for each year since 1980.

Mr. Trippier: Figures for English local authorities and for Nottingham city council are given below. For Welsh figures I refer the hon. Member to the Secretary of State for Wales.

Average Discounts

	Nottingham		England	
	£ thousands	Percentage of market price	£ thousands	Percentage of market price
1980-81	4·4	[1]	6·1	39
1981-82	5·9	45	7·1	42
1982-83	5·9	44	7·2	42
1983-84	6·1	43	[2]7·9	42
1984-85	7·1	45	9·5	44
1985-86	7·8	48	11·0	46
1986-87	8·6	53	12·4	46
1987-88	[1]	[1]	[2]14·5	48

Notes:
[1] Indicates figures are not available.
[2] Indicates averages exclude block sales of dwellings in these years.

Mr. Allen: To ask the Secretary of State for the Environment what representations he has had from local authorities regarding demands for rent arrears arising from changes in housing benefit levels; and if he will make a statement.

Mr. Trippier: My right hon. Friend has recieved no such representations directly. The subject has, however, been raised by several Members and with my officials in various discussions with local authority officers. I have nothing to add to what I told the hon. Member for Halifax (Mrs. Mahon) on 25 October.

Mr. Allen: To ask the Secretary of State for the Environment what was the average price of a house in Nottingham available for each of the years since 1979.

Mr. Trippier: I shall write to the hon. Member.

Mr. Allen: To ask the Secretary of State for the Environment how much housing benefit has been paid in Nottingham in the months since April; and what was the figure for the comparable period in 1987.

Mr. Peter Lloyd: I have been asked to reply.
I regret that this information is not available centrally.

Mortgages

Mr. Allen: To ask the Secretary of State for the Environment what information he has as to how many people are currently paying off a mortgage; how many of those have their mortgage repayments adjusted monthly, quarterly, or yearly; and, of those, what is the average increase in repayments by region in relation to that date at which interest rates were at their lowest since June 1987.

Mr. Trippier: At 30 June 1988 there were 7,230,000 building society outstanding mortgages in the United Kingdom. Since June 1987, the interest rate for the top 14 building societies was at its lowest on 1 May 1988. I regret that the remainder of the information is not available to the Department.

Mr. Evennett: To ask the Secretary of State for the Environment (1) what is his Department's estimate of the cost to the London borough of Bexley of providing mortgages for residents of Thamesmead in accordance with the London Government Reorganisation (Mortgages) Order 1988;

(2) what additional funds are being made available to the London borough of Bexley for the provision of mortgages in accordance with the London Government Reorganisation (Mortgages) Order 1988.

Mr. Trippier: Our estimate of the cost is minimal, but we shall take any cost into account in the context of Bexley's annual housing investment programme bid.

Mr. Evennett: To ask the Secretary of State for the Environment whether he has any plans to introduce an order to amend the provision of the London Government Reorganisation (Mortgages) Order 1988.

Mr. Trippier: No.

Mr. Evennett: To ask the Secretary of State for the Environment what representations he has received concerning the operation of the London Government Reorganisation (Mortgages) Order 1988.

Mr. Trippier: My Department received seven responses to the consultation letter of 5 July on the proposals for the London Government Reorganisation (Mortgages) Order 1988. Since laying the order further representations have been made by the London boroughs of Bexley and Greenwich.

Local Government Expenditure

Mr. Carrington: To ask the Secretary of State for the Environment if he will make a statement on what steps he proposes to take in the light of the proposals by Ealing, Hammersmith and Fulham and Brent councils to use housing investment programme allocations for public housing on a rotation basis to avoid proposed capital controls on council expenditure.

Mr. Harry Greenway: To ask the Secretary of State for the Environment if he will introduce legislation to make illegal arrangements whereby councils rotate public housing built out of housing investment programme allocations on an ownership—leave basis; and if he will make a statement.

Mr. Trippier: No proposals for such arrangements have been made to my right hon. Friend, but I understand that they involve the successive short-term leasing of properties for periods of up to three years. The Government propose, subject to the approval of Parliament, to replace the present capital controls with a new system of capital finance which will take effect from 1990-91. We are considering the appropriate treatment for forward commitments entered into by local authorities between the publication of our proposals on 7 July and the commencement of the new system. Authorities entering into forward commitments must of course be satisfied that they have powers and that it is reasonable and justifiable so to do.

Garden Festival Site, Liverpool

Mr. Alton: To ask the Secretary of State for the Environment what consideration he has given to the proposal to designate the Liverpool garden festival site as a royal park; and if he will make a statement about its future.

Mr. Trippier: The royal parks are of special origin and special significance. They were once going back mainly to Tudor times—private lands in the personal possession of the Sovereign. They still belong to the Sovereign although the public now use them freely. My Department's responsibility is restricted to managing the historical royal parks on behalf of the Crown. There is no intention to add to their number.

As far as the future of the festival park is concerned, the Merseyside development corporation has now agreed draft terms with a commercial leisure park operator who intends to take a long lease on the festival park, and operate this throughout the year.

I am very hopeful that this arrangement will secure the future maintenance of this high-quality park for the people of Liverpool without additional public expenditure. The disposal of the park to the commercial leisure park operator has received the support of the Liverpool city council.

Water Supplies (Nottingham)

Mr. Allen: To ask the Secretary of State for the Environment if he will make it his policy to collect information on the number of houses in *(a)* Nottingham and *(b)* other cities which have water supplied through lead pipes.

Mr. Moynihan: No. It is more important to know the plumbo-solvency of the water, and to that end surveys have been carried out by water undertakers.

Right to Buy

Mr. Allen: To ask the Secretary of State for the Environment how long applicants wait on average to exercise their right to buy *(a)* in Nottingham and *(b)* in England as a whole.

Mr. Trippier: The performance of certain local authorities is formally monitored by the Department, but information on the time taken to deal with individual applications is not collected. I am not aware that tenants of Nottingham city council are experiencing delays in exercising the right to buy.

Homelessness

Mr. Allen: To ask the Secretary of State for the Environment how many people per thousand population are currently in bed-and-breakfast accommodation paid for by local authorities *(a)* in Nottingham and *(b)* in England and Wales.

Mr. Trippier: Nottingham city council reported that 0·24 per 1,000 of households in their area were homeless and temporarily placed in bed-and-breakfast accommodation at 30 June 1988. The corresponding estimate for all English authorities is 0·65 per thousand households. Some of the cost of providing this accommodation may be offset by contributions from household or by DHSS allowances. For Welsh figures I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Housing (Repossessions)

Mr. Allen: To ask the Secretary of State for the Environment if he will give information available to him on the total number of repossessions by building societies for each of the years since 1979 in *(a)* Nottingham, *(b)* the east midlands region and, *(c)* nationally.

Mr. Trippier: The information of repossessions is not available to the Department for Nottingham or the east midlands region. For the national figures, I refer the hon. Member to the answer given by my hon. Friend the Member for Broxbourne (Mrs. Roe) to the hon. member for Hammersmith (Mr. Soley) on 27 June 1988 at columns *149-50*.

Mr. Allen: To ask the Secretary of State for the Environment if he will henceforth collect and publish information showing the number of former council houses repossessed each year.

Mr. Trippier: For the latest information on repossessions, I refer the hon. Member to the answer given by my hon. Friend the Member for Broxbourne (Mrs. Roe) to the hon. Member for Hammersmith (Mr. Soley) on 27 June at columns *149-50*. Information separating repossession of ex-council houses from other repossessions is not available.

Rates

Mr. Allen: To ask the Secretary of State for the Environment what is the average rate bill *(a)* in Nottingham and *(b)* in England and Wales for the latest years for which figures are available.

Mrs. Virginia Bottomley: The information requested is shown below:

	Nottingham £	*England and Wales* £
1986-87	375	392
1987-88	391	420
1988-89	418	459

Land Disposal (Nottingham)

Mr. Allen: To ask the Secretary of State for the Environment if he will list all applications made by the city of Nottingham for consent to the disposal of land under section 123 of the Local Government Act 1972 which have been made since May 1987 to date, stating whether his consent has been given in each case.

Mr. Chope: I shall write to the hon. Member.

Football Clubs (Nottingham)

Mr. Allen: To ask the Secretary of State for the Environment when he last visited the city ground, Nottingham Forest, and Meadow lane, Notts County; and when he next plans to do so.

Mr. Moynihan: My right hon. Friend has yet to visit the city ground, Nottingham Forest, or Meadow lane, Notts

County, and has no immediate plans to do so. I would be happy to consider an invitation to visit either of these clubs.

Housing Bill

Mr. Allen: To ask the Secretary of State for the Environment what representations he has received from Nottingham city council on the terms of the Housing Bill.

Mr. Trippier: I shall write to the hon. Member.

Water Rates

Mr. Allen: To ask the Secretary of State for the Environment what is the average cost per household for water rates in the current year *(a)* nationally and *(b)* in Nottingham.

Mr. Moynihan: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Norfolk, North (Mr. Howell) on 3 November 1988 at column *729*. Information on average household bills for sub-divisions of water authority areas is not held centrally.

Mr. Boyes: To ask the Secretary of State for the Environment whether water rates currently paid by council tenants through the agency of local authorities will be waived for the duration of the domestic water metering trials.

Mr. Howard *[holding answer 11 November 1988]:* Yes. Council tenants in these areas will pay their measured water charges direct to the water undertaker, and not with their rent via their local authority.

Mr. Boyes: To ask the Secretary of State for the Environment what steps he intends to take to ensure that the water rate element of the rent paid by private tenants to their landlords is eliminated for those private tenants participating in the domestic water metering trials.

Mr. Howard *[holding answer 11 November 1988]:* Private tenants living in separately rated hereditaments in the trial areas, who currently pay their water charges with their rent, will pay their measured water charges direct to the water undertaker, unless the landlord enters into an agreement with the water undertaker to be responsible for these charges. The new arrangements will be carefully explained to every tenant and landlord concerned, so that everyone is aware of the change and how it will work.

Dog Wardens

Mr. Allen: To ask the Secretary of State for the Environment if he will introduce legislation to provide all local authorities with powers to appoint dog wardens; and if he will make a statement.

Mrs. Virginia Bottomley: I shall write to the hon. Member.

Rent Rebates

Mr. Allen: To ask the Secretary of State for the Environment what was the average unrebated rent and the average rebate for *(a)* Nottingham and *(b)* the United Kingdom as a whole, for each year since 1979.

Mr. Trippier: The average weekly unrebated local authority rents and rebates for Nottingham (reported) and England (estimated) are:

	Nottingham		*England*	
	Rent £	*Rebate* £	*Rent* £	*Rebate* £
[1]1979	6·28	0·72	6·41	0·67
1980	7·49	0·89	7·70	0·85
1981	11·72	1·89	11·42	1·45
1982	14·27	2·29	13·48	1·87
1983	14·39	8·14	13·97	6·44
1984	14·25	8·15	14·66	7·30
1985	15·68	8·69	15·54	7·90
1986	16·66	9·70	16·36	8·47
1987	17·16	10·30	17·20	8·95
1988	19·01	10·45	18·75	..

[1] April-May.

Notes:

1. Average rent rebate is the total rent assistance divided by the total number of tenants, whether or not in receipt of benefits.
2. Prior to 1983, average rebates exclude rent assistance to those tenants in receipt of supplementary benefit.
3. Average rebates 1983-87 exclude small amounts of housing benefit supplement.
4. New housing benefit legislation was introduced in April 1988. National estimates are not yet available.

For information relating to Wales, Scotland and Northern Ireland I refer the hon. Member to the appropriate Secretary of State.

Water Pollution

Mr. Allen: To ask the Secretary of State for the Environment if he receives reports of major pollution incidents at water treatment works in *(a)* Severn Trent region and *(b)* other regions.

Mr. Moynihan: Yes. Arrangements exist for water undertakers to inform the Department of any significant pollution incidents which affect public water supplies.

Financial Assistance (Nottingham)

Mr. Allen: To ask the Secretary of State for the Environment what consultations have taken place between his Department and Nottingham city council since 3 November regarding the provision of services and further financial assistance to the city.

Mrs. Virginia Bottomley: None.

River Aire

Mr. Hinchliffe: To ask the Secretary of State for the Environment what information he has on causes for the downgrading of the River Aire from class two to class four.

Mr. Moynihan: Sections of the River Aire have been classified as class 4 since the inception of the present river quality classification scheme. I am not aware of any downgrading to class 4. Major improvement works, particularly at the Esholt and Knostrop sewage treatment works, which are in the Yorkshire water authority's capital programme, should result in the Aire achieving its long-term quality objectives of class 2 by the mid-1990s.

Pollution Control

Mr. Hinchliffe: To ask the Secretary of State for the Environment how many pollution control officers will be employed by the proposed National Rivers Authority; and how many are presently employed by water authorities.

Mr. Moynihan: Excluding laboratory staff and others who also deal with other functions, approximately 450 staff who currently work in water authorities on pollution control functions are likely to transfer to the National Rivers Authority.

Mr. Hinchliffe: To ask the Secretary of State for the environment what is the total number of pollution control staff employed by water authorities for each year since 1979.

Mr. Moynihan: This information is not readily available.

Effluent (Sewage Works)

Mr. Hinchliffe: To ask the Secretary of State for the Environment how many applications for the relaxation of local controls on the discharge of effluent from sewage works have been received by his Department so far in 1988; which water authorities have made such applications; which sewage works are concerned; and what are the reasons given for the application.

Mr. Moynihan: During the period 1 January to 11 October 1988 the Department has received the following numbers of applications from water authorities in England under the Control of Pollution Act 1974: Anglian—65; Northumbrian—13; North-West—57; Severn Trent—77; Southern—18; South-West—44; Thames—36; Wessex—37; Yorkshire—40.

The majority of these were in respect of either new or previously unconsented storm and emergency overflows. A number of those submitted by the Anglian and Wessex water authorities were in respect of relaxations. Those for Anglian consisted of a backlog of applications from the review of consents undertaken by water authorities in 1985 as part of the process of implementing the Control of Pollution Act 1974. Those from the Wessex water authority are still being considered. Readily collatable records are only kept of applications received and consents issued so it is not possible to give the reasons for each application. However, water authorities maintain public registers which include details of applications made and consents issued.

Mr. Hinchliffe: To ask the Secretary of State for the Environment what representations he has received regarding the adequacy of the standard set by his Department on the maximum levels of solid matter and oxygen burning effluent permitted to be discharged into the river system by sewage workers.

Mr. Moynihan: Consent conditions for discharges from water authority works are set by Her Majesty's inspectorate of pollution on a case by case basis. There is no general maximum level. No representations have been received regarding the adequacy of the conditions set.

Lead Pollution

Mr. Allen: To ask the Secretary of State for the Environment what contribution his Department made to the week of action on lead pollution.

Mrs. Virginia Bottomley: National lead-free petrol week, which I launched on 28 October, is part of the information campaign supported by a DoE special grant and run by CLEAR charitable trust. I refer the hon. Member to the reply I today gave to my hon. Friend the Member for Cambridgeshire, South-West (Sir A. Grant) for details of the other actions the Department has taken to promote the use of unleaded petrol.

Competition Legislation

Mr. Janman: To ask the Secretary of State for the Environment what proposals he has for applying the competition legislation to the functions to be transferred from the inner London education authority to the inner London boroughs and the City of London.

Mrs. Virginia Bottomley: The Department is today issuing a consultation paper which sets out proposals for the introduction of the competition provisions of the Local Government, Planning and Land Act 1980 and the Local Government Act 1988 in respect of these functions. A copy of the paper has been placed in the Library.

The paper proposes a phased implementation programme for the introduction of competition under the 1988 Act with the first round of contracts to be let by 1 August 1991. Competition under the 1980 Act would apply from 1 April 1990. Comments on the proposals are to be sent to the Department by 31 January 1989.

Butterflies

Mr. McLoughlin: To ask the Secretary of State for the Environment when he expects to reach a decision on the conservation status of the 22 species of butterfly, recommended for protection by the Nature Conservancy Council in the quinquennial review of schedules 5 and 8 of the Wildlife and Countryside Act 1981.

Mrs. Virginia Bottomley: We have decided to add the 22 species of British butterfly to schedule 5 to the Wildlife and Countryside Act 1981 as recommended by the Nature Conservancy Council. This means that these species will be protected under the sale licensing provisions of section 9(5) of the Act. The necessary instrument to bring this amendment into force will be laid before the House shortly.

Housing Subsidies

Mr. Heddle: To ask the Secretary of State for the Environment if he has decided what increases will be assumed, for housing subsidy purposes for 1989-90, in reckonable expenditure on maintaining local authority dwellings and in the deemed rent.

Mr. Trippier: My right hon. Friends the Secretary of State and the Secretary of State for Wales have decided that for 1989-90 the increases in reckonable expenditure and income to be used in calculating housing subsidy should, as for the current year, be some 5 per cent. higher than the general level of increases in costs and prices. We are therefore proposing that the amount of management and maintenance expenditure to be treated as reckonable for housing subsidy for 1989-90 should be increased by 10·25 per cent. The increase in income which authorities are deemed to find from their own resources in 1989-90 be £1·95 per dwelling per week. Consultation papers have been issued to the local authority associations today and copies have been placed in the Vote Office and in the Libraries of both Houses.

Competitive Tendering

Mr. John Carlisle: To ask the Secretary of State for the Environment when he intends to begin consultation on the terms of the order which will bring the management of local authority sport and leisure facilities within the competitive tendering regime provided for in the Local Government Act 1988.

Mr. Moynihan: A draft order has today been sent to the English and Scottish local authority associations, national sports organisations and other interested bodies for comment. Copies have also been placed in the Library. Consultees are asked to respond by 13 January. My right hon. Friend the Secretary of State for Wales is undertaking separate consultation with the appropriate Welsh organisations.

Right-to-buy Discounts

Mr. Cartwright: To ask the Secretary of State for the Environment what consideration he has given to raising the present maximum ceiling figure for right-to-buy discounts.

Mr. Trippier *[holding answer 2 November 1988]:* I shall write to the hon. Member.

UK 2000

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list the projects that have been established to date by UK 2000, showing how many jobs have been created of a paid and voluntary nature, how much business sponsorship has been raised to date by UK 2000 and how much grant has been paid by his Department; and if he will make a statement on the future funding of UK 2000.

Mr. Ridley *[holding answer 2 November 1988]:* About 500 projects have been supported to date by UK 2000 in England. It would entail disproportionate expense to list them all. In June this year some 9,000 community programme trainees were employed on these projects; 15,000 volunteers have so far been involved in projects in the current year; and some 100 long-term jobs have been, or will be, created through these projects.

My Department's grant to UK 2000 was £597,685 in 1986-87, £1,381,137 in 1987-88 and £1,805,000 in 1988-89. UK 2000 has matched this grant with private sponsorship in each year. I consider this an impressive achievement.

It is my intention to continue funding UK 2000 at the same level in 1989-90 as in 1988-89. Accordingly I expect that the Department's grant will be a declining share of the overall budget for the initiative. I have undertaken to consider funding beyond 1989-90 later this year.

Acid Emissions

Mr. Blunkett: To ask the Secretary of State for the Environment when he expects to join the other ten European nations in agreeing a 30 per cent. reduction in acidic emissions; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 7 November 1988]:* On 1 November in Sofia, my noble Friend the Minister for Housing Environment and Countryside signed, on behalf of the Government, the protocol to the 1979 convention on long-range transboundary air pollution concerning the control of emissions of nitrogen oxides or their transboundary fluxes (the "NOx Protocol"). This commits its signatories to halt the hitherto inexorable rise in NOx emissions (bringing emissions back to 1987 levels by 1994), to apply suitable standards to stationary and mobile sources, and by 1996 to have adopted control policies based on the "critical loads" which the environment can tolerate. Achieving an international commitment to putting policy development on to an explicit scientific footing is a major breakthrough. I am also pleased to say that the protocol commands widespread support from East and West Europe and North America. Twenty five countries signed the protocol and more indicated their hope to sign in the near future. This represents a major international commitment.

Soon before the protocol was due to be signed the Government received an invitation to sign a draft declaration to the effect that they would by 1998 achieve reductions in NOx emissions of at least 30 per cent. measured from a baseline of any year between 1980 and 1985. We did not however think it right to commit ourselves both to an arbitrary percentage target for 1998 and to the quite different "critical loads" approach of the protocol for the earlier date of 1996. At the last moment the draft declaration was reduced to a commitment to achieve reductions "in the order of 30 per cent. from a baseline of any year between 1980 and 1986. Twelve countries signed this version on 31 October, but it is uncertain from the final wording what action they mean to take, whereas the protocol is specific.

The United Kingdom is committed to taking action on the basis of scientific study of the problems caused by acid deposition and the implications of various possible solutions. The 1979 convention provides the right forum for advancing the international consensus which is essential if transboundary air pollution problems are to be successfully tackled.

Building Extensions (Appeals)

Mr. Hill: To ask the Secretary of State for the Environment how many applicants who have been refused local planning consent for additional stories on existing blocks of flats have gone to appeal and requested a public inquiry; what are these numbers by region; and what are the percentages of the successful outcome of such appeals by region.

Mr. Chope *[holding answer 11 November 1988]:* I regret that the information requested is not readily available and could be obtained only at disproportionate cost.

NATIONAL FINANCE

Charitable Donations

Mr. Chris Smith: To ask the Chancellor of the Exchequer what was the cost to the Treasury of abolishing the higher rates relief limit for charitable convenants in 1986-87, 1987-88 and the first six months of 1988-89; and how much of the cost was attributable to such donations to professional arts organisations with charitable status in the same periods.

Mr. Norman Lamont: Information is not available in the precise form requested. The total cost of tax relief to

individuals having separate or combined covenants in excess of £10,000 is estimated to be about £3 million in 1986-87, and £5 million in 1987-88. An estimate for 1988-89 is not available yet. Donations to professional arts organisations are not separately identified.

Farm Incomes

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his reply dated 19 October concerning farm incomes for tax purposes, *Official Report*, columns *923-6*, he will publish in the *Official Report* tables showing for each year since 1970 the information in tables 1 and 2 and the vertical totals in tables 3 and 4.

Mr. Norman Lamont: Information for years before 1981-82 is not readily available on a basis consistent with data for 1981-82 onwards.

The information for 1981-82 to 1985-86 is provided in the tables.

Table 1: Companies
Accounting periods ending in the financial year to 31 March

	Number with gross trading profit for tax purposes[1]	*Gross trading profit for tax purposes of the companies in the first column*	*All taxable income after deductions allowed (profits chargeable to CT)*
	thousands	*£ million*	*£ million*
1982	8	270	60
1983	8	330	80
1984	8	340	80
1985	8	380	140
1986	8	390	190

[1] Companies with a trading loss in the year are excluded.

Note: The companies included are those whose main activity is in agriculture or horticulture. Their trading profits may include profits from non-agricultural and non-horticultural activities.

Table 2: Individuals—Gross Profit

	Number of Cases			*Amount of Gross Profit*		
Tax year	*Husbands plus single people (thousands)*	*Wives (thousands)*	*All individuals (thousands)*	*Husbands plus single people (£ million)*	*Wives (£ million)*	*All individuals (£ million)*
1981-82	250	51	301	1,300	244	1,550
1982-83	255	51	305	1,400	225	1,630
1983-84	259	56	315	1,680	331	2,010
1984-85	275	58	333	1,970	370	2,340
1985-86	256	68	324	2,090	417	2,510

Source: Surveys of Personal Incomes.
Notes:
1. The number of cases is the number of married men and single people whose "main source" (usually but not always the largest source) of earned income is from self-employment in agriculture and horticulture; plus the number of married women whose largest source of self-employment income is from agriculture and horticulture.
2. Gross profit includes balancing charges and stock relief withdrawn. It also includes any non agricultural/horticultural profits of individuals concerned.
3. Individual items may not sum to totals due to rounding.

Table 3: Individuals—Taxable Profit

	Number of Cases			*Amount of Gross Profit*		
Tax year	*Husbands plus single people (thousands)*	*Wives (thousands)*	*All individuals (thousands)*	*Husbands plus single people (£ million)*	*Wives (£ million)*	*All individuals (£ million)*
1981-82	250	51	301	856	161	1,020
1982-83	255	51	305	977	154	1,130
1983-84	259	56	315	1,160	235	1,400
1984-85	275	58	333	1,285	227	1,510
1985-86	256	68	324	1,500	294	1,800

Source: Surveys of Personal Incomes.
Notes:
1. The number of cases is the number of married men and single people whose "main source" (usually but not always the largest source) of earned income is from self-employment in agriculture and horticulture; plus the number of married women whose largest source of self-employment income is from agriculture and horticulture.
2. Taxable profit is gross profit less losses and capital allowances so far as allowed for the income tax year.
3. Individual items may not sum to totals due to rounding.

Taxation Statistics

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will publish such figures as he has, comparing in local currencies and in pound sterling equivalent *(a)* gross domestic product per person, *(b)* average income tax paid per person and *(c)* average value added tax paid per person in each of the United Kingdom, Germany and France, during the latest year for which the figures are available.

Mr. Major: Comparisons of the United Kingdom, the German Federal Republic and France for 1986 may be made by reference to the relevant publications of the Organisation for Economic Co-operation and Development, namely OECD "National Accounts" volume 1 "Principal Aggregates" 1960 to 1986, and Revenue statistics of OECD member countries 1965-1987. Both these volumes are available in the Library of the House. It is recommended that comparison of GDP per head be made using the purchasing power parity figures (expressed in US dollars) published by OECD. Because numbers of taxpayers are not readily available, the comparisons requested on taxation per person cannot be derived. However some comparisons of taxation may be made by relating taxation statistics given in these volumes

to measures of total economic activity, such as gross domestic product, both of which are available for 1986 expressed in the national currencies.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* figures showing the estimated revenue yield from abolishing the wife's earnings election and revoking the reductions in the rate of income tax on the wealthiest 1 per cent. of tax units.

Mr. Norman Lamont: I refer the hon. Member to my reply to him of 19 October at columns *934-36* and to my reply to the hon. Member for Dunfermline, East (Mr. Brown) on 9 May at column *30*.

National Insurance

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether the calculations in annex C of "Inland Revenue Statistics 1987" included the man's national insurance contribution, what was the change in the rate of contribution over the period; and if he will provide an estimate of the threshold figure for the current financial year.

Mr. Norman Lamont: Annex C of "Inland Revenue Statistics 1987" shows the income tax threshold and the break-even points since 1949-50 for different family types. The tax threshold is the personal allowance due, the break-even point (for families with children) is the value of earnings at which income tax paid is equal to the money received through child benefit or family allowance. National insurance contributions are not included.

For comparisons over a number of years, the annex gives the threshold as a percentage of average earnings, before deduction of national insurance contributions.

In 1949-50 employees paid flat rate national insurance contributions, and in 1988-89 the rate of contribution will depend on the level of earnings.

In 1988-89 the tax thresholds at current prices are equal to the personal allowances for single people and married men announced in the Budget.

Class 4 Contributions

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for 1978-79 and the current financial year the number of class 4 contributions, the amount collected, and the upper income limit compared to the median and the upper decile incomes of the self-employed.

Mr. Norman Lamont: About £118 million in class 4 contributions was collected in 1978-79, and about £435 million is expected in the current financial year. Estimates of the number of class 4 contributions and the deciles of self employment income were not compiled for 1978-79, and predictions for the current financial year have not been made.

Age Allowance

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the rate of income support for the elderly in the case of single persons and married couples with no other income; what is the basic pension; how much income tax would be payable in each case; and what would be the saving to the revenue if the age allowance for income tax were no higher than is required to relieve income support from liability to tax.

Mr. Norman Lamont: In April 1988, supplementary benefit was replaced by income support.

The rates of income support for the elderly who receive no other income are:

	£
Single persons age 60 or over	44·05 or 46·45
Married couples age 60 or over	67·70 or 70·05

The higher rates are payable to certain disabled people and to those age 80 and over.

The basic retirement pensions in 1988-89 are:

	£
Single person	41·15
Married couple	65·90

Income support paid to the elderly is not taxable and an elderly person with no income other than the basic retirement pension would pay no income tax.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the maximum value in cash terms per single person and married couple of the additional income-tax age allowance for those aged over 80 years; and what is his estimate of the cash and percenage increase in income support which could be paid in each case by abolishing the additional age allowance for such tax units and targeting it on those now drawing income support.

Mr. Norman Lamont: The age allowances for those aged 80 and over are worth a maximum of 63p per week for a single person and 82p per week for a married couple compared with the age allowances for those aged 65 to 79. The extra cost of these allowances is of the order of £10 million per annum. Expenditure on income support is currently in excess of £8·5 billion a year, and therefore the addition of a further £10 million would increase benefits payable by about 0·1 per cent.

Stamp Duty

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the yield from stamp duty on the sale of residential property in the current financial year and the proportion of the housing stock represented by those sales together with their implied capital value.

Mr. Norman Lamont: The information is as follows:

Estimated yield from residential property	£1,150 million
Proportion of housing stock in United Kingdom	7 per cent.
Implied capital value	£115 billion

Personal Tax Allowances

Mr. Sean Hughes: To ask the Chancellor of the Exchequer if he is considering the abolition of any personal tax allowances.

Mr. Norman Lamont: From 6 April 1990, under independent taxation, the present single person's allowance, married man's allowance and wife's earned income allowance will be replaced by the personal allowance and the married couple's allowance.

Public Expenditure

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will state the total public expenditure of *(a)* the EC and *(b)* the United Kingdom in actual amounts and at 1988 prices in 1973 and each subsequent year.

Mr. Major: The sum of capital and current expenditure of general Government on EC definitions and at current prices is given in the table below. EC definitions and calendar years have been used in order to provide figures on a consistent basis. It has not been possible to convert to 1988 prices.

billion ECU

	United Kingdom	*EC9*[1]
1973	54	327
1974	66	393
1975	79	481
1976	82	545
1977	85	612
1978	96	688
1979	113	771
1980	152	885
1981	193	1,023
1982	206	1,137
1983	216	1,176
1984	233	1,327
1985	248	[2]1,410

[1] EC9 excludes Greece, Spain and Portugal.
[2] A figure for Ireland has been imputed by assuming a similar growth as the rest of EC9.
Source: Eurostat Review, 1988 and earlier years.

Labour Statistics

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will state the total number of people employed in nationalised industries in 1979 and at the latest date for which figures are available.

Mr. Major: At mid-1979 the figure was 1,849,000 and at mid-1988, 798,000. Of the fall of over 1 million, around 580,000 is attributable to the privatisation of either whole nationalised industries or various subsidiaries.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the revenue loss in *(a)* basic rate and *(b)* higher rate tax in the current financial year of allowing husbands to set off the wife's earned income allowance against her unearned income where her earned income is less than the allowance; and if he will publish in the *Official Report* a table showing by range of income the gain to one and two-earner families above and below pensionable age.

Mr. Norman Lamont *[holding answer 3 November 1988]:* The direct revenue cost of allowing wives' investment income to be set against the wife's earned income allowance would be about £200 million at current income levels. This estimate makes no allowance for any change in taxpayers' behaviour or for any consequent reduction in the composite rate of tax. Estimates of the distributional effects of the proposal are not readily available, but it is expected that just over a half of the cost would arise from income currently taxed as the higher rate.

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what was the tax threshold as a percentage of average earnings for 1979, 1984 and 1988 for a married couple with two children.

Mr. Norman Lamont: The information requested for a married man is given in the table. In the years shown, tax thresholds are unaffected by the number of children.

	Tax threshold at current prices	[1]*Tax threshold as a percentage of average earnings for all occupations*
	£	*Per cent.*
1979-80	1,815	31·9
1984-85	3,155	32·8
1988-89[2]	4,095	31·0

[1] Full time males paid at adult rates working a full week.
[2] Provisional, assuming male average earnings of £254·1 per week.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) whether he will bring up to date table 3 in annex 4 to the Green Paper on the "Reform of Personal Taxation" (Cmnd. 9756) to take account of his proposed modifications and current incomes and allowances, with the income bands in annual terms;

(2) whether he will bring up to date table 5 in annex 4 to the Green Paper on the "Reform of Personal Taxation" (Cmnd. 9756) to take account of his proposed modifications and current incomes and allowances, with the income bands in annual terms.

Mr. Norman Lamont: I regret that the information could be provided only at disproportionate cost.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer how many wives have claimed the whole or a part of their husband's (i) married man's and (ii) personal income tax allowances in the latest year for which figures are available.

Mr. Norman Lamont: I refer the hon. Member to the reply given to the hon. Member for Rother Valley (Mr. Barron), on 12 April at column *62*.

VAT

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will publish a table showing, at current prices and for each of the years 1970, 1979, 1984 and 1988, the total revenue or total estimated revenue from value added tax.

Mr. Lilley: The information is as follows:

Year	*Revenue from Value-added Tax £ billion*
1970	[1]—
1979	[2]6·4
1984	17·1
1988	[3]27·3

Notes: [1]Value-added tax was introduced in 1973.
[2]The standard and higher rates of VAT were raised to 15 per cent. in June 1979.
[3]Estimate for financial year 1988-89.

Disaggregation of Income

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether it is proposed that when separate

taxation of men and women is introduced in 1990-91 partners in a partnership shall be allowed to admit their spouses to the partnership on the same basis as themselves to reduce their liability to higher-rate tax even where the spouse is no more than a sleeping partner in the partnership.

Mr. Norman Lamont: When independent taxation is introduced in 1990-91 a partnership between husband and wife will in general be treated for income tax purposes in the same way as any other partnership. I announced during the Committee stage debates on this year's Finance Bill that the Government would be reviewing the existing provisions which are designed to ensure that individuals cannot obtain a tax advantage by arrangements designed to transfer income to others.

Pensions

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) what is his estimate of the value of the pension contribution holidays which have been declared by public companies for the benefit of *(a)* their shareholders and *(b)* their employees in each of the past three years to date; and what has been the benefit to the revenue therefrom;

(2) what is his estimate of the amount which public companies have appropriated from their pension funds for the benefit of their shareholders in each of the past three calendar years and current year to date; and at what rate such appropriations are subject to tax having regard to the relief given in earlier years.

Mr. Norman Lamont: Full information in the form requested is not available. Information from large self-administered pension schemes taking action to reduce surpluses following the legislation in the Finance Act 1986 is given in the table. Refunds to employers are subject to a flat rate of tax of 40 per cent.

£ million

	Schemes reporting in:		
Action to reduce surplus	*1986-87*	*1987-88*	*1988*[1]
Refunds to employers	62	69	94
Contribution holidays or reductions for employers	2	253	444
Contribution holidays or reductions for employees	—	14	15

[1] April to September.

Note: The figures represent for each activity the total amount of surplus to be eliminated by schemes which have reported in each year. The contributions holiday or reduction may be spread across several years.

Taxation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his reply dated 29 July, *Official Report*, column *738*, he will publish in the *Official Report* a table showing the percentage increase since 1978-79 in the combined amount of income tax, residential rates and employee's national insurance compared to (i) the percentage increase in personal incomes and (ii) the percentage increase in the average amount of income tax and the national insurance contributions paid by higher-rate taxpayers; and if he will add figures showing the combined amount as a proportion of total incomes in 1978-79 and as forecast for the current financial year.

Mr. Norman Lamont: Provisional estimates are as follows:

	Percentage increase 1978-79 to[1] *1988-89*
Income tax, rates, and employee's national contributions	160
Total income of taxpayers	165
Average income tax and national insurance contributions of top 5 per cent. of taxpayers[2]	170

[1] Forecast.

[2] Estimates are given for the top 5 per cent. (just over 1 million) of taxpayers since the numbers of higher rate taxpayers increased from 763,000 in 1978-79 to 1,250,000 in 1988-89.

	1978-79 Per cent.	*1988-89 Per cent.*
Income tax, rates, and employees' national insurance contributions as a percentage of total income	28	27

Income Tax

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his replies dated 19 October, *Official Report*, columns *929-30* and *939-42*, concerning income taxes in France, Italy and Germany, he will publish in the *Official Report* a table showing for each country the average earnings of (i) adult male and (ii) adult female workers, or their nearest equivalent, in terms of its currency at the latest date for which figures are published locally.

Mr. Norman Lamont: The OECD publication "The Tax/Benefit Position of Production Workers 1983-1986" gives the following details of the earnings of "average production workers" in each of the countries mentioned for 1986 (the figures cover both male and female workers):

	Average earnings
France	F 86,970
Italy	L 17,659,727
Germany	DM 38,852

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether, further to his replies dated 19 October, *Official Report*, columns *929-30* and *939-42*, concerning income taxes in France, Italy and Germany, he will publish in the *Official Report* a table showing for each country in terms of its currency the distribution of incomes for tax purposes at the latest date for which figures are published locally.

Mr. Norman Lamont: I am afraid that this information is not readily available. It may be obtainable from statistical publications, for example "Annuaire Statistique de la France", in the countries mentioned.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) what percentage of the revenue from income tax will be paid by the top *(a)* 1 per cent. and *(b)* 5 per cent. of incomes in the current financial year compared to 1978-79; and what are the corresponding figures for income before tax;

(2) what is his estimate of the number of single parents and the number of their children; how many are widows

and with how many children; how many are covered by one-parent benefit and the child dependency addition and at what cost to the revenue; whether either or both of these benefits are taxable; and how many single parents claiming the additional personal income-tax allowance do not claim one-parent benefit or child dependency addition, and at what saving to the Revenue;

(3) if he has come to a decision on the option in paragraph 4.15 of Cmnd. 9756 of converting the additional personal income tax allowance into increased social security provision; and if he will provide an estimate of *(a)* the amount of revenue which could be transferred to the social security budget in this way and *(b)* what increase in benefits would be required to ensure that nobody is worse off as a result of the change;

(4) whether he has come to a decision on the option in paragraph 4·16 of Cmnd. 9756 of restricting the additional personal income tax allowance to those in receipt of one-parent and other appropriate benefits; and if he will publish in the *Official Report* a table showing what the effect of such a change would be in terms of the number of allowances claimed and the savings to the reveue;

(5) what is his estimate of the amount of the mortgage taken out by the median mortgagee claiming mortgage interest relief, the increease since May in the rate of interest, the amount of interest payable in a full year, and the total amount of relief at the standard rate payable in a full year at the standard rate of income tax.

(6) what was the economic case for reducing income tax on investment income in the case of those with an income in excess of the ceiling below which there is an entitlement to income support; and if he will publish in the *Official Report* an estimate of the saving to the revenue from increasing the tax on investment income by eight percentage points;

(7) what is the percentage of the increase in tax relief in 1988 for people of working age which will go to two-earner married couples; and what is the corresponding figure in the case of his proposals for separate taxation of men and women on the present tax basis;

(8) what is the current married man's tax threshold as a percentage of adult manual workers' average earnings currently as calculated in chart 2·4 of Cmnd. 9756; and what is his latest estimate of the number of families who would now receive at least 80 per cent. of their present income if they did not work at all;

(9) in what respects his latest proposals for separate taxation of husbands and wives differ in principle from those given in paragraph 3·4 of Cmnd. 9756; and what is the gain-loss to the revenue from the change at current tax and allowance levels;

(10) whether he will publish in the *Official Report* the months since May 1979 in which average building society mortgage rates were below 10 per cent.; what has been the average charged in the previous two decades; and if he will consider imposing an upper limit to mortgage interest relief if and when the average rate falls below 10 per cent. to reduce the amount of relief by one fifth for each half per cent. fall in the rate of interest;

(11) if, further to paragraphs 12 and 13 of annex 4 to Cmnd. 9756, he will publish in the *Official Report* a table showing the changes in the number paying tax and average gain or loss in each case as a result his revised proposals at current rates of income and tax;

(12) what is the net gain or loss to the revenue from *(a)* reducing the standard rate of income tax by 5 pence *(b)* raising the ceiling for means-tested income support by 25 per cent. and *(c)* increasing the state pension by 10 per cent.;

(13) what relative priority the Government accords to *(a)* further reductions in income tax and *(b)* an increase in means-tested social security benefits as a means of reducing dependency;

(14) how many single parents are expected to claim the additional personal income-tax allowance for 1988-89 and how many are widows; how many single parents claim one-parent benefit and how many widows with children receive a child dependency addition in respect of how many children; to what extent these two benefits have been increased to take account of the reduction in the real value of child benefit and the effect of inflation on the amounts payable in March 1986; and if he will bring up to date the benefit figures quoted in paragraph 4.10 of Cmnd. 9756;

(15) whether he proposes to extend the proposed married couple's income-tax allowance to single parents in the form of an additional personal income-tax allowance when separate taxation of husbands and wives is introduced in 1990-91;

(16) how much is paid by the top 5 per cent. of taxpayers in employees' national insurance contributions; and what would be the gain to the revenue by removing the upper earnings limit;

(17) whether he will publish in the *Official Report* a table comparing the changes in the numbers paying tax and the average gain or loss in each case with his revised proposals at current rates of income tax along the lines of paragraph 9 and 11 of annex 4 Cmnd. 9756;

(18) whether he will publish in the *Official Report* the relevant allowances referred to in annex 7 of Cmnd. 9756 in each case in terms of local currency and as a percentage of average adult male earnings or the nearest available equivalent together with the marginal and average rates of tax for single persons and one-earner married couples with such earnings; and if he will add *(a)* the average and marginal rates for a two-earner married couple where the wife's earnings are the average for an adult female and *(b)* the amount of child benefit or child allowance;

(19) whether he will publish in the *Official Report* a table showing the figures in table 11 of annex 4 of Cmnd. 9756 and those applicable under his revised scheme at current rates of income and tax; and if he will provide separate figures for *(a)* higher-rate taxpayers and *(b)* those who have opted for the wife's earnings election where neither spouse is currently subject to higher-rate tax;

(20) whether he will publish in the *Official Report* a table showing the figures in table 10 of annex 4 of Cmnd. 9756 showing those applicable under his revised scheme at current rates of income and tax;

(21) whether he will publish in the *Official Report* a table showing the figures in paragraph 19 and table 8 of annex 4 of Cmnd. 9756 and those applicable under his revised scheme at current rates of income and tax;

(22) whether he will publish in the *Official Report* a table showing the figures in paragraph 20 and table 9 of annex 4 of Cmnd. 9756 and those applicable under his revised scheme at current rates of income and tax;

(23) whether he will publish in the *Official Report* a table showing the figures in chart 6.1 of Cmnd. 9756 against the current position and that proposed for 1990-91 at present rates;

(24) if he will give a breakdown of the marital status of those caught in the poverty and employment traps; what effect his proposals for the separate taxation of husbands and wives will have on the numbers caught in each trap; and whether he will publish in the *Official Report* figures for his revised proposals corresponding to those in chart 3.2 of Cmnd. 9756 on the Green Paper basis and on the present basis together with the number of low-earning households which will be worse off than at present as a result of the restriction on the transfer of any part of the husband's personal allowance to the wife.

Mr. Norman Lamont: Given the short notice and imminence of prorogation, I am unable to reply to the hon. Member's questions in the time available.

Christmas Bonus

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the present cost of the Christmas bonus for retirement pensioners; and what is his estimate of the saving which could be made by restricting payments to pensioners who do not pay income tax.

Mr. Norman Lamont: In 1988-89, the cost of the Christmas bonus for retirement pensioners is estimated to be about £108 million. The saving from restricting payments of the bonus to pensioners who do not pay income tax would be about £28 million.

State Pension (Income Tax)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the yield from income tax on the state pension for *(a)* single persons and *(b)* married couples; and whether he has any plans to reduce the income tax ceiling for the age allowance to a means-tested level.

Mr. Norman Lamont: People receiving a state retirement pension will not pay income tax unless their total income for tax purposes, including the pension and all other sources of income, exceeds the appropriate age or other personal allowance. If total income is sufficient for income tax to be due, it would be inappropriate to attribute that tax to one particular source of income. There are no plans to reduce the income limit for age allowance.

London (Rents and Rateable Value)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for 1958, 1968, 1978 and the latest available date an index based on 1985 = 100 showing information available on the level of rateable values and the level of rents for offices in the City of London.

Mr. Norman Lamont: This information is not maintained centrally and could not be produced without a disproportionate expenditure of time and resources.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing information available on the aggregate rateable value of the 10 largest office blocks in the City of London in terms of their rateable value on 1 April 1986 together with the average rateable value per square foot; and if he will provide corresponding figures for 1978.

Mr. Norman Lamont: The aggregate rateable value at 1 April 1986 of the 10 largest office blocks in the City of London is £24,527,383. The average rateable value per square foot is £8·76. The corresponding figure for 1978 is not readily available and could not be produced without a disproportionate expenditure of time and resources.

Computers

Mr. Ralph Howell: To ask the Chancellor of the Exchequer how many computers were in use in the United Kingdom *(a)* in all Government Departments and *(b)* in each of the National Health Service, local government, central Governmentand the nationalised industries, for 1970, 1979, 1984 and 1988.

Mr. Brooke: The numbers of large and medium-sized computers in use in the United Kingdom in central Government Departments for administrative and scientific purposes, in the years concerned, are:

	Computers
1970	205
1979	530
1984	970
1988	1,428

In addition, it is estimated that about 25,000 microcomputers are currently in use in central Government Departments. No central records of these are maintained and figures are not available for past years.

Figures for the numbers of computers in the National Health Service, local government and nationalised industries are not available centrally and could be obtained only at disproportionate cost.

Graffiti

Mrs. Gorman: To ask the Chancellor of the Exchequer if he will consider imposing a tax on the sale of spray paint cans sufficient to deter the sale of these products to those who would use them to cause graffiti.

Mr. Norman Lamont: I cannot anticipate my right hon. Friend's next Budget statement, but I have noted my hon. Friend's suggestion.

Civil Service (Cost)

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what was the *(a)* cost of the Civil Service and *(b)* average cost for each civil servant for 1970, 1979, 1984 and 1988, breaking down the average cost for each civil servant into pay, national insurance, superannuation, and other costs such as office space, heating, lighting, car allowance, travel allowance and telephone.

Mr. Major: Civil Service administrative costs have not been recorded in the manner described for all the years mentioned, and the current running costs control mechanism was only introduced in 1986-87. I am not therefore able to provide the detailed information in the form requested. Due to coverage changes, comparable figures prior to 1980-81 are not available, and those for that year have had to be estimated to the nearest £50 million.

Table 1 sets out total running costs on current coverage, the number of full-time staff covered and the cost per head for the year indicated.

Table 1

	1980-81	1984-85	1987-88
Departmental running costs in £m[1]	7,300	10,998	12,997
Average full-time staff included in running costs[2] of which	739,800	666,100	647,500
Civil Service	653,200	583,100	565,200
Armed Forces	58,000	58,000	57,000
Northern Ireland Civil Service	28,600	25,000	25,300
Running costs £ per head	9,867	16,511	20,072

Notes:

[1] Departmental running costs comprise pay and national insurance costs, personnel overheads (including travel allowances), accommodation costs, office and other services. They do not include notional accruing pensions liability, pensions in payment or capital expenditure.

[2] Figures for average levels of full-time staff in post across the year. They exclude staff in trading funds (e.g. HMSO) and other areas now exempted from gross running costs control (e.g. the Land Registry). Although most of Armed Forces are also outside running costs, those personnel engaged in headquarters and support activities are included.

Table 2 shows the average man-year cost in 1987-88 when casual staff and overtime are added, and then breaks this down by components:

Table 2

	1987-88 £
Running costs per man year	17,378
Comprising:	
Pay costs	10,688
Personnel overheads	1,322
Accommodation costs	2,632
Office services (e.g. telecommunications)	1,341
Other services (e.g. contract services)	1,395

GDP (Taxation)

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what percentage of the gross domestic product taxation represented in 1970, 1979, 1984 and 1988.

Mr. Major: Information for 1988 is not yet available. Figures for other years are as follows:

Taxes as percentage of GDP[1]

Year	Per cent.
1970	31·8
1979	28·3
1984	31·2

[1] Taxes cover taxes on income, expenditure (including local authority rates) and capital. GDP is GDP(A) at market prices.

Earnings (Purchasing Power)

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will publish figures for 1960, 1970, 1979, 1984 and 1988 for a married man with two children earning average male annual earnings, showing the length of time, after taking into account income tax, liability and national insurance contribution, necessary to pay for each of the following items *(a)* one lb. sugar, *(b)* one lb. back bacon, *(c)* one lb. beef sirloin, *(d)* one lb. fresh cod fillets, *(e)* 14lb. potatoes, *(f)* 800g. sliced loaf, *(g)* one lb. butter, *(h)* one pint of fresh milk, *(i)* one dozen eggs, and *(j)* one lb. pork.

Mr. Major: The information requested is provided in the table, 1971 is the earliest year for which figures are available. The calculations are based on a married man, with a non-earning wife, on average hourly earnings of all males on adult rates of pay (not average male earnings). Income tax liability and national insurance contribution have been deducted. Child tax allowances have been taken into account in calculating net earnings in 1971 and so for the later years, child benefit has been added for consistency.

Working time (minutes)

	1971	1979	1984	1988
(a) One lb sugar	4	4	4	3
(b) One lb back bacon	30	34	27	21
(c) One lb beef sirloin	50	56	52	42
(d) One lb fresh cod fillets	24	32	24	27
(e) 14 lb potatoes (old whites loose)	24	26	37	23
(f) 800 g sliced loaf (white)	9	9	7	6
(g) One lb butter (New Zealand)	19	23	15	12
(h) One pint of fresh milk	5	4	4	3
(i) One dozen eggs (size 2)	26	20	17	14
(j) One lb pork (loin)	34	32	24	18

Government Expenditure

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what was total Government expenditure for 1960, 1970, 1979, 1984 and 1988; and what percentage of the gross domestic product it represents for each of those years.

Mr. Major: The available information is given in the table. Corresponding figures for years before 1963-64 are not readily available on a consistent basis.

	General government expenditure[1] (£ billion)	Percentage of GDP
1963-64	11·3	36½
1970-71	21·6	40¾
1979-80	90·3	43½
1984-85	152·8	46½
1988-89	186·9	39¾

[1] Excluding privatisation proceeds.

Note: The full series is set out in table 1.1 of the 1988 autumn statement.

Cars (Writing-down Allowance)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* the writing-down allowances for cars against liability to corporation tax and the number of cars for which such an allowance was claimed in the latest year for which figures are available and in 1978-79.

Mr. Norman Lamont: The latest year for which a reliable breakdown of capital allowances is available is 1983. Figures are published in table 4.7 of "Inland Revenue Statistics 1987". The total shown under other allowances for plant, machinery and vehicles relates mainly to company cars. An equivalent estimate for 1978 is in table 3.6 of "Inland Revenue Statistics 1983". Information on the number of company cars for which capital allowances are claimed is not available.

Bracken House

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the rateable value of Bracken house, Cannon street, London EC4P 4BY.

Mr. Norman Lamont: The current rateable value of Bracken house is £479,250.

City Technology Colleges

Mr. Madden: To ask the Chancellor of the Exchequer what tax relief or other relief is available to companies wishing to sponsor city technology colleges.

Mr. Norman Lamont: City technology colleges have charitable status, so business donations to them may qualify for the tax reliefs which are available for charitable giving generally. Companies may claim tax relief for payments made under deed of covenant: if they are not close companies, relief is also available for single donations up to a yearly maximum of 3 per cent. of their dividend payments for that year.

Press Briefing

Mr. Madden: To ask the Chancellor of the Exchequer, following his comments on 7 November about the inaccurate reporting by journalists attending his briefing on 4 November, if he intends to make any complaint to the Press Council.

Mr. Lawson: I have nothing to add to what I said in the House on 7 November at column 21-27.

Unleaded Petrol

Sir Philip Goodhart: To ask the Chancellor of the Exchequer what instructions he has given for the modification of cars used by his Department so that they can use unleaded petrol.

Mr. Brooke: The cars used by Her Majesty's Treasury are hired from the Crown suppliers. It is current Crown suppliers policy to convert all cars that can be so modified to run on unleaded petrol and to replace those that cannot.

Interest Rates

Mr. Wray: To ask the Chancellor of the Exchequer what talks he recently had regarding the effects of high interest rates on industry and international trade competition with *(a)* the Trades Union Congress and *(b)* the Confederation of British Industry.

Mr. Major: None.

Airbus

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what recent loans have been given by the European Investment Bank to the British Aerospace company in connection with the Airbus project; and whether Her Majesty's Government have underwritten such loans.

Mr. Brooke: The board of directors of the European Investment Bank approved a loan to British Aerospace on 4 October, the details of which are a matter for the company and the bank alone. There is no United Kingdom Government guarantee for this loan.

Paris Club

Sir John Stanley: To ask the Chancellor of the Exchequer why the United Kingdom, in implementing its rescheduling of the official debt of the poorest and most heavily indebted countries, had chosen only the option of lowering interest rates; and whether he will also consider exercising the option of writing-off one third of the debt service being rescheduled as is being done by other Paris club creditor countries.

Mr. Lawson: The Paris club has agreed that the options of reducing interest rates and writing off one third of the debt service being rescheduled are of comparable value. The United Kingdom favours reducing interest rates as Her Majesty's Government believe, in common with the majority of creditor Governments, that this is the best method of preventing the burden of debt from compounding.

Sir John Stauley: To ask the Chancellor of the Exchequer (1) if he will list the countries to which he estimated Export Credits Guarantee Department's total exposure at around £1 billion in his reply to the right hon. Member for Tonbridge and Malling on 4 November, *Official Report*, column 801;

(2) if he will list the poorest and most heavily indebted countries eligible for exceptional debt relief from the Paris club of Governemnt creditors provided that they are following an approved adjustment programme.

Mr. Lawson: The Paris club proceeds by consensus and on a case by case basis. It is therefore not possible to list the countries to which the Paris club will grant exceptional debt relief. The countries to which ECGD's exposure is estimated to be £1 billion are those which, when preparing estimates of costs to the Exchequer of exceptional debt relief earlier this year, were thought likely to be eligible. The criteria used in drawing up this list were poverty, indebtedness and the assumption that an internationally approved adjustment programme will be in place at the time of rescheduling.

Tax Fraud and Evasion

Mr. Wray: To ask the Chancellor of the Exchequer how many cases of tax fraud or evasion were uncovered by the Inland Revenue for each year since 1975; and how many such cases resulted in prosecution.

Mr. Norman Lamont: The numbers of completed Inland Revenue investigations resulting in additional liability in each year since 1975 are as follows:

Year	*Number of settlements*
To 31 October	
1976[1]	13,561
1977	29,426
1978	50,719
1979	52,880
1980	53,214
1981	55,104
1982	63,305
1983	68,587
To 31 March	
1983	66,809
1984	70,834
1985	70,606

Year	Number of settlements
1986	64,589
1987	61,656
1988	61,453

[1] The earliest year for which figures are available in this form.

The numbers of criminal prosecutions for tax fraud in each year since 1975 are as follows:

Year	Number of prosecutions
1974-75	220
1975-76	335
1976-77	324
1977-78	171
1978-79	188
1979-80	150
1980-81	188
1981-82	175
1982-83	142
1983-84	159
1984-85	238
1985-86	320
1986-87	325
1987-88	[1]213

[1] Includes three prosecutions for mortgage interest relief fraud omitted from the figures given in the reply on 17 June 1988 to the question from the hon. Member for Bradford, West (Mr. Madden) at column *148-9*.

Mr. Wray: To ask the Chancellor of the Exchequer what is, for each year since 1975, the loss to public funds caused by tax fraud and evasion.

Mr. Norman Lamont: It is not possible to say how much revenue is lost through tax fraud and evasion.

Personal Equity Plans

Mr. Tim Smith: To ask the Chancellor of the Exchequer if he has any plans to improve the take-up of personal equity plans.

Mr. Norman Lamont: The scheme is kept under review.

Tax Incentives

Mr. Dykes: To ask the Chancellor of the Exchequer (1) if he will consider new tax incentives for small investors, to assist them in investing in British industry;

(2) if he will take steps to provide tax incentives to encourage the purchase of shares in smaller British companies by non-institutional investors.

Mr. Norman Lamont: This area is kept under review and I have noted my hon. Friend's suggestions. He will be aware that the Government have already introduced the business expansion scheme to provide tax incentives for individual investors to purchase shares in unquoted United Kingdom companies, as well as personal equity plans to encourage individual investors to invest in United Kingdom companies.

Tobacco (Excise Duty)

Mr. Parry: To ask the Chancellor of the Exchequer what revenue has been raised in excise duty from the tobacco industry in each of the past five years.

Mr. Lilley: The information is as follows:

Tobacco excise duty

	£ million
1983-84	3,806
1984-85	4,140
1985-86	4,459
1986-87	4,755
1987-88	4,767

Mr. Parry: To ask the Chancellor of the Exchequer if he will publish a table in the *Official Report* for EC countries showing the level of excise duty on tobacco products in each member country over the past five years.

Mr. Lilley: The information for the years 1986 to 1988 inclusive is as follows. Information for previous years is not readily available and could be provided only at disproportionate cost.

Excise duty on tobacco products in the EC: 1986[1]

	Cigarettes (per 1,000)	*Cigars and Cigarillos*	*Pipe tobacco*	*Hand-rolling tobacco*
Belgium	60·70 per cent. of RSP[2] plus £1·62	1. 3 kg or more per 1,000: 16·5 per cent. of RSP 2. Others: 21 per cent. of RSP	31·50 per cent. of RSP	31·50 per cent. of RSP
Denmark	21·22 per cent. of RSP plus £49·70	10 per cent. of RSP plus £16·22 per 1,000	£10·56 per kg	£43·49 per kg
France	45·46 per cent. of RSP plus £0·79	1. Cigars wrapped in natural tobacco: 24·5 per cent. of RSP 2. Cigars wrapped in reconstituted tobacco 28·2 per cent. of RSP	39·50 per cent. of RSP	39·50 per cent. of RSP
Germany	31·50 per cent. of RSP plus £17·94	1. 3 kg or more per 1000: 14 per cent. of RSP (minimum £8·25 per 1,000) 2. Others: 17 per cent. of RSP (minimum £9·84 per 1,000)	£1·33 per kg plus 20·7 per cent. of RSP	31·8 per cent. of RSP plus £2·67 per kg (minimum £8·33 per kg)
Greece	53·58 per cent. of RSP plus £0·33	25 per cent. of RSP	60 per cent. of RSP	60 per cent. of RSP
Ireland	14·57 per cent. of RSP plus £30·34	£45·85 per kg	£29·63 to £64·10 per kg	£53·95 per kg
Italy	53·39 per cent. of RSP plus £1·08	1. 3 kg or more per 1,000; 24 per cent. of RSP 2. Others: 48 per cent. RSP	56 per cent. of RSP	56 per cent. of RSP
Luxembourg	57·55 per cent. of RSP plus £1·06	16·50 per cent. of RSP	31·50 per cent. of RSP	31·50 per cent. of RSP
Netherlands	37·94 per cent. of RSP plus £8·40	2·96 per cent. of RSP	25·46 per cent. of RSP plus £2·73 per kg	25·46 per cent of RSP plus £2·73 per kg
Portugal	49·03 per cent. of RSP plus £1·19	26·21 per cent. of RSP	26·21 per cent. of RSP	26·21 per cent. of RSP
Spain	40·00 per cent. of RSP plus £0·48	10 per cent. of RSP	25 per cent. of RSP	25 per cent. of RSP
United Kingdom	21 per cent. of RSP plus £30·61	£47·05 per kg	£24·95 per kg	£49·64 per kg

[1] Rates of exchange as at 9 November 1988.
[2] Retail selling price.

Excise duty on tobacco products in the EC: 1987[1]

	Cigarettes (per 1,000)	*Cigars and Cigarillos*	*Pipe tobacco*	*Hand-rolling tobacco*
Belgium	60·70 per cent. of RSP[2] plus £1·62	1. 3 kg or more per 1,000: 16·5 per cent. of RSP 2. others: 21 per cent. of RSP	31·5 per cent. of RSP	31·5 per cent. of RSP
Denmark	21·22 per cent. of RSP plus £49·70	10 per cent. of RSP plus £16·22 per 1,000	£10·56 per kg	£43·49 per kg
France	45·46 per cent. of RSP plus £0·85	1. Cigars wrapped in natural tobaccos: 24·5 per cent. of RSP 2. Cigars wrapped in reconstituted tobacco 28·2 per cent. of RSP	39·5 per cent. of RSP	39·5 per cent. of RSP
Germany	31·50 per cent. of RSP plus £17·94	1. 3 kg or more per 1,000: 14 per cent. of RSP (minimum £8·25 per 1,000) 2. others: 17 per cent. of RSP (minimum £9·84 per 1,000)	£1·33 per kg plus 20·7 per cent. of RSP	31·8 per cent. of RSP plus £2·67 per kg (minimum £8·33 per kg)
Greece	33·95 per cent. of RSP plus £0·36	3 kg or more per 1,000: 5 per cent. of RSP	37 per cent. of RSP	37 per cent. of RSP

	Cigarettes (per 1,000)	*Cigars and Cigarillos*	*Pipe tobacco*	*Hand-rolling tobacco*
Ireland	13·61 per cent. of RSP plus £32·20	£47·70 per kg	(i) Cavendish: £48·21 (ii) Hard pressed: £30·83 (iii) Other: £38·75	£40·25 per kg
Italy	53·39 per cent. of RSP plus £1·15	1. 3 kg or more per 1,000: 24 per cent. of RSP 2. others: 48 per cent. of RSP	56 per cent. of RSP	56 per cent. of RSP
Luxembourg	57·55 per cent. of RSP plus £1·12	1. 3 kg or more per 1,000: 16·5 per cent. of RSP 2. others: 21 per cent. of RSP	31·5 per cent. of RSP	31·5 per cent. of RSP
Netherlands	19·06 per cent. of RSP plus £17·10	1. 3 kg or more per 1,000: 2·93 per cent. of RSP 2. others: 8·11 per cent. of RSP	10·6 per cent. of RSP plus £5·63 per kg	10·6 per cent. of RSP plus £5·63 per kg
Portugal	51·03 per cent. of RSP plus £1·37	26·21 per cent. of RSP	26·21 per cent. of RSP	26·21 per cent of RSP
Spain	40·00 per cent. of RSP plus £0·48	10 per cent. of RSP	20 per cent. of RSP	20 per cent. of RSP
United Kingdom	21 per cent. of RSP plus £30·61	£47·05 per kg	£24·95 per kg	£49·64 per kg

[1] Rates of exchange as at 9 November 1988.
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Greece	33·95 per cent. of RSP plus £0·36	3 kg or more per 1,000: 5 per cent. of RSP	37 per cent. of RSP	37 per cent. of RSP
Ireland	13·33 per cent. of RSP plus £33·56	£47·70 per kg	1. Cavendish: £48·21 2. Hard pressed: £30·83 3. Other: £38·75	£40·25 per kg
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Spain	40·00 per cent. of RSP plus £0·48	10 per cent. of RSP	20 per cent. of RSP	20 per cent. of RSP
United Kingdom	21·00 per cent. of RSP plus £31·74	£48·79 per kg	£24·95 per kg	£51·48 per kg

[1] Rates of exchange as at 9 November 1988.
[2] Retail selling price.

Freeports

Mr. Parry: To ask the Chancellor of the Exchequer what steps he has taken to monitor the working of British freeports; and if he will make a statement.

Mr. Lilley: As part of the evaluation of the freeports experiment, the freezones are being continuously monitored. But a full review of the designated freezones will not take place until 1989 when the experiment will have been in operation for a full five-year period.

Mr. Parry: To ask the Chancellor of the Exchequer if he will list in the *Official Report* the profits of British freeports at the latest available date.

Mr. Lilley: The freezones are operated by private sector companies. Publication of this information is a matter for the individual companies.

Social Security and Health (Expenditure)

Mr. Gordon Brown: To ask the Chancellor of the Exchequer what sum has been set aside in 1988-89 and 1989-90 in public expenditure plans for *(a)* social security and *(b)* health to fund the announcement he made on 7 November, *Official Report*, columns 21-27.

Mr. Lawson: The cost of extra help for poorer pensioners will be additional to the current plans for the social security programme and will be found from the reserves, within the planning totals published in the autumn statement.

Interest Rates

Mr. Wray: To ask Mr. Chancellor of the Exchequer what assessment has been made by the Treasury of the relative effect of the rise in interest rates on *(a)* the consumption of imported goods and *(b)* the consumption of British-made goods.

Mr. Lilley: A rise in interest rates is likely to have a greater immediate proportionate impact on the consumption of imported goods than on total consumers' expenditure, since expenditure on consumer durables, which is relatively sensitive to interest-rate changes, has a higher import content than the rest of consumers' expenditure.

Tape Recorders

Mr. Grocott: To ask the Chancellor of the Exchequer how often tape recorders used by his Department are sent away for servicing.

Mr. Lawson: As and when required.

Mr. Grocott: To ask the Chancellor of the Exchequer how many breakdowns of Treasury tape recorders have occurred in the latest year for which figures are available.

Mr. Lawson: About one quarter of the stock of tape recorders including dictating machines developed faults at some point during the year 1987-88.

Mr. Grocott: To ask the Chancellor of the Exchequer what training schemes exist for Treasury officials on the operation of tape recorders.

Mr. Lawson: Training in the operation of tape recorders and dictaphones is given as necessary.

Mr. Grocott: To ask the Chancellor of the Exchequer what is the average age of tape recorders used in his Department.

Mr. Lawson: The information is not available.

Mr. Grocott: To ask the Chancellor of the Exchequer what makes of tape recorders are used in his Department.

Mr. Lawson: The Treasury uses a variety of different makes, supplied by HMSO.

Mr. Grocott: To ask the Chancellor of the Exchequer how many tape recorders are available to his officials for use on official business.

Mr. Lawson: Including dictating machines about 1,000 in the central Treasury.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer what is his practice in relation to tape-recording meetings and briefings of journalists which take place in number 11 Downing street; how often in the past tapes have failed to work; where the tape of the briefing on 4 November is now; and whether any official has had discussions with the BBC or any experts on how to enhance the volume.

Mr. Anderson: To ask the Chancellor of the Exchequer (1) whether he is prepared to submit for independent analysis the actual tape which failed to record the conversation between himself and selected journalists on 4 November;

(2) on how many occasions over the past 12 months tape recorders drawn from the Treasury pool have proved so defective that conversations at non-attributable ministerial briefings have been totally erased; and what action he proposes to improve the efficiency of these machines.

Mr. Lawson: I refer the hon. Member to the answer I gave to hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) on 11 November. There are no records on the performance of tape recorders at briefings of journalists in 11 Downing street. The tape at the briefing on 4 November which failed to record the discussion has since been re-used. There have been no discussions with the BBC or others.

Unit Trusts

Mr. Dykes: To ask the Chancellor of the Exchequer what representations he has received about stamp duty levies on United Kingdom unit trusts and the ability of unit trusts from other European countries in the EC to be marketed in the United Kingdom without bearing this duty.

Mr. Norman Lamont: Treasury Ministers have received recent representations about stamp duty arising out of the transfer of units in United Kingdom unit trusts, including its alleged effect on their international competitiveness. I am currently in correspondence with my hon. Friend the Member for Beaconsfield (Mr. Smith) on this point.

Civil Service (Scotland)

Mrs. Margaret Ewing: To ask the Chancellor of the Exchequer (1) if he will list in the *Official Report* the total

number of Civil Service jobs in central Government Departments which have been *(a)* created in and *(b)* transferred to Scotland in each of the past 10 years;

(2) if he will list in the *Official Report* current plans to decentralise Government Departments to Scotland.

Mr. Brooke *[holding answers 11 November 1988]:* Under the Government's 1979 programme a total of 2,050 posts are to be dispersed to Scotland. Some 1,930 posts have already been dispersed, and the remainder are due in the first half of 1989. Approximately 70 per cent. of these posts have been filled by local recruitment. The annual figures are:

	Created posts	*Transferred posts*	*Total*
1979	—	—	—
1980	—	—	—
1981	32	395	427
1982	—	167	167
1983	—	188	188
1984	—	75	75
1985	—	1,070	1,070
1986	—	—	—
1987	—	—	—
Totals	32	1,895	1,927

Details of posts created or transferred outside this programme and at Departments' own initiative are not held centrally, but Inland Revenue opened a new office in Cumbernauld in 1987 (32 posts) and earlier this year the Department of Social Security opened a new housing benefit unit in Glasgow which has created over 400 short-term jobs for school leavers who might otherwise have been unable to find work. In addition Inland Revenue expect to disperse a further small number of London posts to Glasgow in the first half of 1989.

Under the successor policy to the Government's dispersal programme which I announced on 31 March at columns 610-11, the onus is now on Departments to review the location of their work regularly and systematically with a view to finding locations offering advantages in terms of recruitment and retention of staff and better value for money. No areas of the country have been identified specifically as target location venues, but, where appropriate, Departments will take account of the Government's regional and urban policies when selecting the most appropriate location to suit their particular requirements.

The report published by my right hon. Friend the Secretary of State for Scotland in June confirmed the significant financial and other benefits achieved through the relocation of part of the Overseas Development Administration to East Kilbride in 1981, and this should encourage Departments to give Scottish venues due consideration when planning future relocations.

Unemployment Benefit

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will list the revenue derived from taxing unemployment benefit, and that part of an unemployed claimant's supplementary benefit-income support, for each year since unemployment benefit was brought into tax.

Mr. Norman Lamont *[holding answer 27 October 1988]:* The latest estimates of the yield from taxing unemployment benefit and supplementary benefit or income support paid in lieu of unemployment benefit are as follows:

	£ million
1982-83	[1]300
1983-84	375
1984-85	400
1985-86	400
1986-87	400
1987-88	375
1988-89	300

[1] Unemployment benefits became taxable on 5 July 1982.

These estimates are based on national amounts of benefits paid each year to the unemployed and information on income of the unemployed derived from the results of the 1984 and 1985 family expenditure surveys. The figures are subject to revision when later information becomes available.

Civil Servants

Mr. Holland: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report (a)* a table showing by standard planning regions for 1980 to 1986, the distribution of civil servants in Government Departments, and the total salary expenditure and *(b)* a breakdown by standard planning region of civil servants by grade for the years 1980 to 1986.

Mr. Brooke: Tables showing the distribution of civil servants in Government Departments by standard planning regions are published annually in "Civil Service Statistics" (Table 3 in each edition). Information in respect of total salary expenditure and a breakdown by standard planning region of civil servants by grade for the years 1980 to 1986 cannot be provided without disproportionate cost.

Drugs Trafficking

Sir Bernard Braine: To ask the Chancellor of the Exchequer what steps have been taken, or are contemplated, to ensure there will be no loosening of control by Customs and Excise at ports of entry after the introduction of the single European market for as long as international trafficking in illegal drugs continues.

Mr. Lawson: I envisage a continuing role for Customs and Excise after 1992 in countering drugs smuggling through all ports of entry to the United Kingdom.

Sir Bernard Braine: To ask the Chancellor of the Exchequer what proportion of amphetamines, cannabis, heroin, cocaine and other illegal drugs seized by Customs and Excise and the police in 1986, 1987 and to the latest convenient date in 1988 were transported from elsewhere in the EC; and if he will state the quantities seized in each case and the countries from which they had been shipped.

Mr. Lawson: The following table shows drugs seized by Customs and Excise at the internal frontier with other EC countries. A breakdown by specific country could be obtained only at disproportionate cost.

Comparable figures for police seizures are not available.

United Kingdom seizures of drugs coming from or via EC countries by weight and per cent. of total drugs seizures

	1986		1987		January-June 1988[1]	
	Kg	Per cent.	Kg	Per cent.	Kg	Per cent.
Cannabis Resin	7,014·061	64·6	5,840·794	78·8	2,835·048	23·5
Herbal Cannabis	953·038	8·3	927·507	10·5		
Heroin	23·881	13·3	35·277	18·8	23·004	23·7
Cocaine	49·792	50·2	85·714	23·8	92·699	50·5
Amphetamine	29·492	100	16·436	99·1	0·794	63·9

[1] 1988 figures are still provisional.

Written Answers to Questions

Tuesday 15 November 1988

PRIME MINISTER

Engagements

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 15 November.

Mr. Patrick Thompson: To ask the Prime Minister if she will list her official engagements for Tuesday 15 November.

Mr. Andrew Smith: To ask the Prime Minister if she will list her official engagements for Tuesday 15 November.

The Prime Minister: This morning I am presiding at a meeting of the Cabinet and will have meetings with ministerial colleagues and others. This afternoon I shall be departing for an official visit to the United States of America.

Cabinet Ministers (Letters)

Q196. **Mr. Dalyell:** To ask the Prime Minister on how many occasions the texts of her letters to departing Cabinet Ministers have been published.

The Prime Minister: Exchanges of letters with Cabinet Ministers are normally published.

FOREIGN AND COMMONWEALTH AFFAIRS

South Africa (Conscription)

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received from the United Kingdom embassy in Pretoria as to the number of British nationals conscripted into the South African defence forces, pursuant to the South African Citizenship Amendment Act 1984.

Mrs. Chalker: Details are not available.

European Organisations (Costs)

Mr. Gorst: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the Government have paid during each of the past five years towards the running of the European Commission and Court of Human Rights, the International Court of Justice, and the European Court of Justice; to which other international judicial or quasi-judicial organisations the Government contribute, and how much has been paid to each of them towards their running costs in each of the past five years.

Mrs. Chalker: The information is as follows:

European Commission and Court of Human Rights

1984	FF 1,336 million	For these years remuneration of staff was apportioned separately
1985	FF 1,452 million	
1986	FF 1,834 million	
1987	FF 5,400 million	Including staff remuneration
1988	FF 6,670 million	
1989[1]	FF 7,248 million	

[1] Estimated.

In April 1986 we agreed to the construction of a new human rights building in Strasbourg to house the Commission and Court of Human Rights. Ministers subsequently set the total expenditure at FF 240 million at October 1987 prices of which our share will be 15·42 per cent.

International Court of Justice
Our contribution is paid every two years:

For 1984-85	US$445,642
For 1986-87	US$558,200
For 1988-89	US$535,188

European Court of Justice (ECJ)
Our contribution towards the cost of running the ECJ is included in our contribution to the Community budget. Figures detailing ECJ running costs for the past four years are shown in the statement on the 1988 Community budget presented to Parliament by the Paymaster General, Cm 525. Similar figures for fifth year are available from last year's statement, Cm 194. Both Cm documents are in the Library of the House.

Other International Judicial or Quasi-Judicial organisations
There are a number of these organisations, for example, the permanent court of arbitration, to which we contribute £5,000-£6,000 per annum, but details of our contributions to them could be provided only at disproportionate cost.

Mr. Gorst: To ask the Secretary of State for Foreign and Commonwealth Affairs, what was the date of the last occasion on which Her Majesty's Government increased the British contribution towards the running costs of the European Commission, and Court of Human Rights; what the value of that increase was; what proportion of the total European Court of Human Rights budget that increase represented; whether he considers that any further increases are necessary; to what purposes additional increases should be directed; and at what regular intervals the Government review the level of their contribution to the European Court of Human Rights.

Mrs. Chalker: Our contribution to the running costs of these two organisations was increased on 3 December 1987, when the 1988 Council of Europe budget, which includes the costs of the European Commission and Court of Human Rights, was adopted. The increase to these two organisations was approximately FF 8 million of which we paid 16·71 per cent.—our share of the Council of Europe's budget. Of this sum FF 3·6 million was apportioned to the European Court of Human Rights. In agreeing this increase of approximately 25 per cent. on 1987 costs we were given an undertaking by the presidents of the court and the Commission that these bodies now had the staff and resources they needed to cope with their increased workload and would not seek further additional staff and resources for the next two years. We review our contribution to the European Court of Human Rights annually when its budget is discussed.

European Court of Human Rights

Mr. Gorst: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the size of the present backlog of cases awaiting a decision on admissibility at the European Court of Human Rights in Stratbourg; whether he is satisfied that it is now and will remain in the future at a reasonable level; whether he proposes that the United Kingdom Government should take any initiative to alter the present situation; what was the average backlog during each 10-year period since 1958; and if he will ascertain from the European Court of Human Rights what changes recent budgetary increases will make and how soon they will take effect.

Mrs. Chalker: At 31 December 1987 there were 1,208 applications awaiting admissibility decisions by the European Commission on Human Rights. Since the increases in staff approved at last December's budget meeting we are content with the assurance given by the presidents of both the European Commission and the European Court of Human Rights that these increases will enable them to cope with the increased workload and reduce the backlog to acceptable levels. The United Kingdom is chairing a working group which is considering the scope for improvement in present procedures. The statistics requested since 1958 are not available, but a "Survey of Activities and Statistics" of the European Commission and Court of Human Rights, a copy of which has been placed in the Library of the House, provides more details on applications and decisions.

Mr. Gorst: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the average length of time it has taken for a complaint made to the European Court of Human Rights to be dealt with *(a)* from its first introduction until a decision on its admissibility has been made and *(b)* from that time until the case has been finally resolved for each 10-year period since 1958.

Mrs. Chalker: Statistics concerning cases before the European Commission on Human Rights are not available in the form requested. However, in mid-1988 the interval between the referral of a case to the European Court of Human Rights and delivery of judgment was between 15 and 18 months.

Departmental Papers

Sir Trevor Skeet: To ask the Secretary of State for Foreign and Commonwealth Affairs which of his Department's papers have been made available to the public since 1 October 1987.

Mr. Eggar: Between 1 October 1987 and 30 September 1988, the Foreign and Commonwealth Office—excluding the Overseas Development Administration—has made the following papers available to the public on request:

Africa
- British Policy towards South Africa
- Famine in Sub-Saharan Africa
- Namibia: Chronology, July 1987-February 1988
- Perspectives on Africa
- Western Sahara

Americas
- Central American Peace Process: Chronology, October 1986—February 1988
- Fishing and the Falklands
- Prime Minister: Speech for the Bicentennial of the US Constitution
- Soviet interest in Latin America

Asia and Australasia
- Afghanistan: A Partial Solution
- Afghanistan: The Unwanted War
- Afghanistan Report: UN General Assembly Vote
- Afghanistan Report: UN-Sponsored Talks
- ASEAN: Efforts for Prosperity and Stability
- Australia's Immigration and Population Trends
- Cambodia: Moves Towards a Settlement
- Japan: General Information Paper
- The 1989 World Youth Festival

China
- China's Economic Reforms, 1978-88
- China's Energy Prospects
- China's External Economic Relations
- Problems and Progress at China's Congresses
- Sino-Soviet Relations
- Students and Intellectuals in China
- Thirteenth Congress of the Chinese Communist Party: An Analysis of the Thirteenth Central Committee

Europe
- Cultural Policy and Cultural Activity in Poland
- Mr. David Mellor, QC MP: Speech at the Twentieth Anniversary of the Great Britain-East Europe Centre
- Economic Reform in Poland
- Hungary: Change of Leadership
- Rt. Hon. Norman Tebbit MP: Speech to mark the Fortieth Anniversary of the Marshall Plan
- Relations between Britain and Yugoslavia, 1945-87

Near and Middle East
- Arab-Israel Chronology: March-September 1987
- Chronology of the Iran-Iraq Conflict, June 1987-May 1988
- Israeli Policy in the Occupied Territories
- Lebanon: An A to Z

Soviet Union
- Concern about Soviet Youth
- Christianity in the Soviet Union in the Year of the Millennium
- Nationalities and Nationalism in the Soviet Union
- Soviet Bloc Aid to Special Friends
- Soviet Economic Reform
- Soviet Energy Prospects

Disarmament
- Arms Control and Disarmament, Quarterly Review No. 7
- Arms Control and Disarmament, Quarterly Review No. 8
- Arms Control and Disarmament, Quarterly Review No. 9
- Further Selected Papers on Arms Control and Disarmament
- Non-Proliferation Treaty: Twenty Years On

Economic
- Aid to the Developing World
- The CMEA's Attempts at Reform
- International Debt Problems

International
- AIDS
- AIDS: The World Summit and its Outcome
- Dispersing of and Reducing Radioactive Waste
- International Drug Trafficking: Attacking the Profits
- The Provisional IRA: International Contacts Outside the United States

United Nations
- Summary of UN Security Council Resolutions, 1946-87
- Table of Vetoed Draft Resolutions in the UN Security Council, 1946-87

Brazil

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the current state of Anglo-Brazilian relations.

Mr. Eggar [*pursuant to his reply, 9 November 1988*, c. 203]: I returned from an official visit to Brazil on 14 November.

ATTORNEY-GENERAL

Messrs. Larry Whitty and Phil Kelly

Mr. Mullin: To ask the Attorney-General if he will list the cost of the prosecution against Mr. Larry Whitty and Mr. Phil Kelly over the use of the Red Cross symbol.

The Solicitor-General: It is anticipated that the disbursements of the Crown Prosecution Service will amount to £520, towards which the defendants were ordered to pay a total of £250.

European Convention on Human Rights

Mr. Gorst: To ask the Attorney-General how many cases against the United Kingdom under articles 3, 4, 5 or 6 of the European Convention on Human Rights are currently under consideration in Strasbourg or have been declared to be admissible for consideration; and if he will list what each of the complaints relates to and the date on which each one was first introduced by the applicant.

Mrs. Chalker: I have been asked to reply.

There are 23 cases pending before the Committee of Ministers, the Court or the Commission, in which the Government have submitted, or have been requested to submit, observations on articles 3, 4, 5 or 6 of the convention.

Date first introduced with Commission by applicant	*Article*	*Subject*
3 October 1980	3	Corporal Punishment
26 October 1982	3	Corporal Punishment
18 October 1984	5	Detention
24 April 1985	5	Review of life sentences
3 June 1985	5	Review of life sentences
10 September 1985	5	Review of life sentences
3 October 1985	5	Review of life sentences
30 May 1985	6	Length of proceedings
5 July 1985	6	Prisoners' correspondence
14 October 1985	6	Legal Aid
5 December 1985	5 and 6	Legal Aid
28 December 1985	6	Child Care
17 January 1986	3	Corporal punishment
5 April 1986	3 and 6	Prison treatment
16 June 1986	5	Detention
10 December 1986	6	Access to Court
26 August 1987	3	Deportation (3 cases)
12 October 1987	3	Deportation
15 December 1987	3	Deportation (2 cases)
8 July 1988	3	Extradition

AGRICULTURE, FISHERIES AND FOOD

Radioactivity

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food on what date and how the announcements were made, relating to each of the samples of sheep milk tested for radioactivity following the Chernobyl accident.

Mr. Ryder: The results of sheep milk monitoring in England were published in my Department's news releases on the following dates:

1986
30 May
20 June
18 July
28 August
18 November
16 December

1987
21 April
3 July
7 September

1988
8 January
1 June
1 August
30 September.

The results were also included in the two compilations of monitoring data, entitled "Radionuclide levels in Food, Animals and Agricultural products: Post-Chernobyl Monitoring in England and Wales" published by HMSO in February 1987 and April 1988 respectively.

Sheep (Scrapie)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) what action he is taking to investigate the use of meat and bone meal from sheep infected with scrapie; and if he will make a statement;

(2) whether he will take any action to ensure that meat and bone meal from sheep infected with scrapie is not fed to cattle; and if he will make a statement.

Mr. Donald Thompson: Legislation which prohibits the use of ruminant derived meat and bonemeal in feed rations for cattle and other ruminants came into force on 18 July this year, with the full co-operation of the United Kingdom renderers association. My officials are investigating the processes used by rendering plants in Great Britain to determine whether they may be capable of producing a product safe for use in ruminant feed. Meanwhile the ban remains in force.

Export Restitution Payments

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what delays are being experienced in the payment of export restitutions to the food industry; and what steps are being taken to expedite these payments.

Mr. Ryder: The intervention board has succeeded in restoring reasonable payment times for over 70 per cent. of claims by value. The board continues to take all possible steps to restore reasonable payment times for all claims and has set up an additional processing unit in Newcastle. Meanwhile payments are being made under the compensation scheme announced in July.

EC (Agricultural Exports)

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table showing the total exports of various agricultural items from the European Economic Community in each of the recent three annual periods for which figures are available.

Mr. MacGregor: I will write to my hon. Friend as soon as possible.

Common Agricultural Policy

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the estimate of common agricultural policy spending in 1988-89.

Mr. MacGregor: I will write to my hon. Friend as soon as possible.

Bovine Spongiform

Miss Emma Nicholson: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make an urgent statement on methods of authorising and controlling the disposal of bovine spongiform encephalopathy infected carcases;

(2) if he will take steps to ensure that the storage, transport and disposal of bovine spongiform encephalopathy infected carcases be licensed and controlled by his Department.

Mr. Donald Thompson: I will write to my hon. Friend as soon as possible.

HOUSE OF COMMONS

Honourable Members (Spouses)

Mr. Pawsey: To ask the Lord President of the Council what action he intends to take during the lifetime of this Parliament to improve the facilities in the Palace of Westminster for spouses of hon. Members.

Mr. Wakeham: I refer my hon. Friend to the oral answer I gave to my hon. Friend the Member for Warrington, South (Mr. Butler) on Monday 31 October 1988, at column 665. I understand that facilities for hon. Members' spouses will be included in these deliberations. The exercise will begin in the near future. Progress thereafter will depend upon the decisions reached.

WALES

Compact Schemes

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will list the local education authorities in Wales which participate in compact schemes; and what is the total cost of the schemes funded by his Department.

Mr. Wyn Roberts: As far as we are aware, no local education authority is participating in a compact scheme in Wales although some are considering developing them with local industry. The Government are not funding any scheme in the Principality.

Departmental Expenditure

Mr. Denzil Davies: To ask the Secretary of State for Wales what was the total amount, in cash terms, of his Department's general expenditure in 1987-88.

Mr. Peter Walker: In cash, outturn expenditure within my responsibility was £3,331 million in 1987-88 and outturn is currently expected to be £3,600 million in 1988-89, equivalent to a cash increase between the years of 8·1 per cent.

Planned expenditure provision for 1987-88 was £3,192 million and for 1988-89 it was £3,451 million, an increase of 8·1 per cent. Planned expenditure for 1989-90 is £3,790 million—9·8 per cent. higher than 1988-89 and 18·7 per cent. higher than 1987-88 on a like-for-like basis.

Outturn expenditure exceeded planned expenditure in both 1987-88 and 1988-89, as it has done in every year since 1979.

Mr. Denzil Davies: To ask the Secretary of State for Wales what is the planned total sum of his Department's general expenditure as adjusted to 1987-88 price levels by excluding the effect of general inflation as measured by the gross domestic product deflation at market prices for the years 1988-89 and 1989-90.

Mr. Peter Walker: At 1987-88 price levels, the total of planned expenditure within my responsibility for 1988-89 was £3,248 million. The comparable figure for 1989-90 is £3,397 million. These sums have been derived by the application of the GDP deflators at market prices. They show that, in real terms, planned expenditure has increased by 4·6 per cent. between the two years. This is the equivalent of a cash increase of 9·8 per cent.

Northop Bypass

Mr. Raffan: To ask the Secretary of State for Wales how far the construction of the A55 Northop bypass is ahead of schedule; and when he expects it to be completed.

Mr. Wyn Roberts: The contract completion date for Northop bypass is August 1989. I am advised that the works could be sufficiently advanced to enable the bypass to be opened to traffic in spring 1989. Actual completion is of course, subject to a number of factors not least of which are the weather conditions over the intervening period.

A55 Travellers Inn

Mr. Raffan: To ask the Secretary of State for Wales when work will start on the A55 Travellers Inn improvement; and when he expects it to be completed.

Mr. Wyn Roberts: I hope that work will start on this scheme early in the next financial year. The scheme will take around two years to complete.

Paediatrics Cardiology Unit, Neath Hospital

Mr. Gareth Wardell: To ask the Secretary of State for Wales if it is proposed that the new paediatrics cardiology unit at the Neath hospital in Cardiff will provide a service for the newly born.

Mr. Grist: The paediatric cardiac unit currently under construction at the University hospital of Wales, Cardiff, is planned to provide a cardiology service for children of all ages. A comprehensive paediatric cardiology and cardiac surgery service will be developed over time at a pace to be kept under review by the Welsh medical committee.

HOME DEPARTMENT

Escaped Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department what is the present number of *(a)* men and

(b) women who have escaped from prisons in England and Wales and were still at liberty on 31 October; and if he will make a statement.

Mr. Douglas Hogg: Reliable information is not available for the period before 1981. Of those adult prisoners who escaped from within a closed prison between 1 January 1981 and 30 September 1988 (the latest date for which figures are currently available), 52 men and one woman were recorded as being unlawfully at large on 30 September. A further 140 men and 17 women who absconded from within open prisons were also recorded as being unlawfully at large at that date. All such escapes are of course reported to the police immediately.

Prisons (Hygiene)

Mr. Ashley: To ask the Secretary of State for the Home Department if he will make it his policy to encourage all prison governors to allow inspection by local authority environmental officers so that they can provide guidance on measures required to achieve hygiene standards similar to those in organisations and institutions not protected by Crown immunity from prosecution.

Mr. Douglas Hogg: The prison service has its own internal arrangements for inspecting prison kitchens. Inspections are considered to be of a standard equivalent to those that would otherwise be carried out by local authority environmental health officers. The arrangements do not preclude calling on local environmental health officers for advice if necessary. More generally, prison medical officers are encouraged to establish a relationship with environmental health authorities and to invite local authority officers to visit prisons in an advisory capacity.

Mr. Ashley: To ask the Secretary of State for the Home Department (1) if he will invite the Institution of Environmental Health Officers to give him the names of the prisons visited by members of the institution which had kitchens with standards of hygiene so low that they would warrant prosecution were it not for Crown immunity; and if he will arrange for a further joint inspection by his internal inspectors and those of the institute;

(2) when he received a copy of the report "Food Hygiene in H. M. Prisons" by the Institution of Environmental Health Officers; what response he made; and what action was taken regarding the finding that the kitchens of 13 of the 21 prisons inspected were found to be below the standard of the Food Hygiene (General) Regulations 1970.

Mr. Douglas Hogg: A letter has recently been sent to the institution requesting further details of the background to the survey and the names of prisons visited. A full response to the institution will be made after consideration of all the relevant material. A copy of the findings of the survey conducted by the institution was received in the prison department on 29 August 1988.

Mr. Ashley: To ask the Secretary of State for the Home Department whether he will make it his policy to maintain hygiene conditions in prison kitchens at a level that would comply with the standards that have to be met by organisations and institutions which do not have Crown immunity from prosecution.

Mr. Douglas Hogg: Our policy remains that prison kitchens should meet the standards laid down in the Food Hygiene (General) Regulations 1970.

Terrorism (Broadcasts)

Mr. Livingstone: To ask the Secretary of State for the Home Department whether the directions he issued on 19 October to the IBA and BBC relating to the broadcasting of statements by Northern Ireland terrorist organisations and their apologists are intended to prohibit the broadcast of words spoken by an hon. or right hon. Member.

Mr. Renton: The directions prevent the broadcasting of direct statements by persons representing, or purporting to represent, supporting, or inviting support for, the organisations named in the notices. They include such words spoken by an hon. or right hon. Member, unless spoken in the course of proceedings in Parliament. Words spoken by or in support of a candidate at a parliamentary, European parliamentary or local election pending that election are also excluded from the directions.

Mr. Livingstone: To ask the Secretary of State for the Home Department if he will amend the terms of his directions issued on 19 October to the IBA and BBC relating to the broadcasting of statements by Northern Ireland terrorist organisations and their apologists so as to exclude from its terms words spoken by an hon. or right hon. Member.

Mr. Renton: We have no plans to introduce such an amendment. Those words spoken by an hon. or right hon. Member in the course of proceedings in Parliament are excluded from the directions, as are words spoken by or in support of a candidate at a parliamentary, European parliamentary or local election pending that election.

Right of Abode

Mr. Michael Morris: To ask the Secretary of State for the Home Department when he intends to introduce a charge for the processing of applications made in the United Kingdom for certificates of entitlement to the right of abode; and what publicity arrangements he has made.

Mr. Hurd: As part of our general policy of charging for services, a fee of £12·50 will be payable from 15 December 1988 to cover the actual cost of processing in the United Kingdom applications posted on or after that date. Letters announcing this have today been sent to the heads of the Commission for Racial Equality, the National Association of Community Relations Councils, the United Kingdom Immigrants Advisory Service, the Joint Council for the Welfare of Immigrants and the National Association of Citizens Advice Bureaux. An announcement will also be made in the ethnic press.

Aerosols

Mr. Fry: To ask the Secretary of State for the Home Department how many deaths have been reported as a result of inhaling from aerosols in the current year and in each of the preceding three years.

Mrs. Currie: I have been asked to reply.

The most complete data available come from a continuing study carried out by the department of clinical epidemiology and social medicine of St. George's hospital medical school, London. This study—the national study of deaths associated with the abuse of volatile substances—collects data from a variety of sources, including death registrations and a survey of coroners' findings.

The data for both 1987 and 1988 should be regarded as provisional.

Number of deaths associated with the abuse of aerosols (England and Wales)

Year	Number
1985	10
1986	14
1987	27
1988 (up to October)	18

English Language Schools

Mr. Atkinson: To ask the Secretary of State for the Home Department if he will make a statement about the outcome of his Department's discussions with representatives of the English language school industry about the difficulties experienced by foreign students in obtaining entry to the United Kingdom to study English.

Mr. Renton *[holding answer 14 November 1988]:* Home Office officials have regular contact with various organisations representing the interests of foreign students studying in this country, and the colleges they attend, both about questions of policy and on individual cases. A useful meeting with the Association for Recognised English Language Teaching Establishments in Britain and other bodies was held in July, when matters of common interest were discussed. A follow-up meeting is to be held next month.

Visitors' Visas

Mr. Vaz: To ask the Secretary of State for the Home Department what was the number of applications *(a)* made and *(b)* refused, for visitors' visas in (i) New Delhi, (ii) Bombay, (iii) Karachi, (iv) Islamabad and (v) Calcutta, for each year from 1980 to 1987 and for each month of 1988.

Mr. Renton *[holding answer 11 November 1988]:* The information requested is given in the table.

Applications for a visit entry clearance[1] to the United Kingdom

Number of persons

	New Delhi	Bombay	Calcutta	Karachi	Islamabad
Applications newly received[2]					
1980	2,250	5,140	3,020	1,820	1,820
1981	2,070	4,600	2,360	1,680	1,700
1982	1,510	3,370	1,620	1,210	1,320
1983	1,180	2,450	1,210	1,140	750
1984	1,030	2,160	1,010	930	760
1985	680	1,380	850	690	520
1986: January to September	940	1,350	1,000	400	430
October to December	7,560	7,920	1,110	5,400	5,350
1987	38,700	40,660	7,240	25,270	31,590
1988: January	1,770	1,320	190	940	1,580
February	2,270	1,890	260	1,250	1,710
March	3,080	3,430	430	1,810	2,360
April	4,080	6,080	880	2,020	2,270
May	6,190	5,730	1,160	3,300	3,150
June	5,000	5,240	780	5,030	4,770
Applications refused initially[3]					
1980	270	320	30	160	230
1981	160	170	20	100	160
1982	190	90	10	50	90
1983	140	80	+	50	40
1984	120	50	+	40	40
1985	80	50	+	20	40
1986: January to September	90	30	10	10	20
October to December	360	100	+	290	440
1987	3,620	1,100	90	2,130	5,230
1988: January	180	70	10	120	400
February	270	80	10	130	510
March	350	110	+	200	580
April	320	100	10	240	490
May	380	90	20	260	570
June	450	130	20	340	860

+ = 5 or fewer.

[1] Since 15 October 1986 citizens of Bangladesh, India and Pakistan wishing to visit the United Kingdom have been required to obtain a visa before setting out. Before that date an entry clearance was optional.

[2] Including applications subsequently withdrawn.

[3] Some applications refused initially are subsequently granted on appeal.

ENVIRONMENT

Water Industry (Privatisation)

Sir Anthony Meyer: To ask the Secretary of State for the Environment which organisations will be consulted in the preparation of the code of practice on recreation and access to which the private water companies will be subject after privatisation; and if they propose to publish the draft code when the Bill is published.

Mr. Moynihan: The draft code of practice will be made available during Committee stage of the Bill to privatise the water industry. I shall consult widely on its provisions.

Unidentified Flying Objects

Mr. Teddy Taylor: To ask the Secretary of State for the Environment what reports he has received within the past

four weeks from the south-east about flying objects emitting strong blue lighting; and if he has any information on the origin of the objects.

Mrs. Virginia Bottomley: I shall write to my hon. Friend.

Torbay Council (Housing Sales)

Mr. Soley: To ask the Secretary of State for the Environment whether he intends to grant permission to Torbay council to sell off its housing stock to two housing associations.

Mr. Trippier: I shall write to the hon. Member.

Drinking Water

Mr. Gordon Brown: To ask the Secretary of State for the Environment what is the number of people whose drinking water is above the recommended EEC level of nitrates.

Mr. Moynihan: I shall write to the hon. Member.

HEALTH

NHS Staff

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state the average work week, in hours, for National Health Service staff for 1970, 1979, 1984 and 1988, respectively.

Mr. Mellor: I shall write to my hon. Friend.

Mr. Ralph Howell: To ask the Secretary of State for Health (1) if he will state the percentage of pay that is overtime in the National Health Service for administrative clerical and staff grades for the years 1960, 1970, 1979, 1983, 1985 and 1988;

(2) if he will state the percentage of pay that is overtime in the National Health Service for nurses and midwives in 1960, 1970, 1979, 1983, 1985 and 1988;

(3) if he will state the amount paid to nurses and midwives, as a total, and as an average salary for 1960, 1970, 1979, 1984, 1988; and if he will also state the average working week in hours for nurses and midwives for those years.

Mr. Mellor: I shall write to my hon. Friend.

Mr. Ralph Howell: To ask the Secretary of State for Health if he will state *(a)* the number of persons and *(b)* whole-time equivalents for the National Health Service grades of *(a)* medical and dental, *(b)* nursing and midwifery, *(c)* professional and technical, *(d)* works, *(e)* maintenance, *(f)* administration and clerical, *(g)* ambulance and *(h)* ancillary for 1979, 1984 and 1988.

Mr. Mellor: Such information as is available is shown in the table. Figures for 30 September 1988 are not yet available.

National Health Service directly employed staff by main staff group at 30 September each year: England
Numbers and whole-time equivalents

	1979		*1984*		*[2]1987*	
	Numbers	*Whole-time equivalents*	*Numbers*	*Whole-time equivalents*	*Numbers*	*Whole-time equivalents*
Medical and Dental (incl. Locums)	51,600	39,000	54,900	42,300	56,300	43,000
Nursing and Midwifery (incl. Agency)	424,800	358,400	462,400	397,500	479,800	404,000
Professional and Technical (excl. works)	76,100	60,100	86,900	72,700	93,200	79,000
Works professional	5,600	5,600	6,000	6,000	5,700	5,700
Maintenance	20,100	20,100	20,200	20,200	18,500	18,500
Administrative and Clerical	121,500	103,000	130,100	110,300	136,400	114,600
Ambulance (incl. officer)	17,200	17,100	18,300	18,100	19,700	19,000
Ancillary	219,400	171,900	199,000	152,200	[3]157,300	[3]115,100
Total employed staff	936,400	775,300	977,700	819,300	[3]966,900	[3]798,800

Source: Department of Health (SR7) Annual Censuses of National Health Service medical and non-medical manpower.
Notes:
[1] All figures are independently rounded to the nearest one hundred (100) whole time equivalents.
[2] Figures include staff in "other statutory authorities" (eg Public Health and Laboratory Service and the Health Education Authority) not previously collected in Annual Manpower censuses. (Around 2,700 whole time equivalent staff in total are thus included for the first time) Figures are therefore not directly comparable with those for earlier years.
[3] Part of the reduction in staff is attributable to the effects of competitive tendering in ancillary staff groups.

Midwifery Sisters

Mr. Hardy: To ask the Secretary of State for Health if he will list the number of midwifery sisters within each health authority and the number within each of the new salary grades in each area.

Mr. Mellor: I shall write to the hon. Member.

AIDS

Mr. Pawsey: To ask the Secretary of State for Health (1) what is the minimum and maximum incubation period for acquired immune deficiency syndrome;

(2) what is the current number of acquired immune deficiency syndrome sufferers in the United Kingdom; and at what rate this is increasing;

(3) what is the period within which the incidence of immune deficiency syndrome is currently doubling;

(4) what is the latest projection, on the basis of the current state of medical advice and knowledge, of the likely number of acquired immune deficiency syndrome sufferers in each year up to 2000.

Mr. Mellor: By the end of October 1988 1,862 cases of AIDS had been reported in the United Kingdom, an increase of 66 per cent. over the corresponding figure in 1987. The doubling time for cases is about 14 months. The incubation period between infection with HIV and the

development of AIDS can vary from months up to many years, with the average at present thought to be about seven to eight years. Making accurate predictions of future numbers of AIDS cases is difficult, even in the short term. An expert group set up under the chairmanship of Sir David Cox to consider future prevalence has recently submitted its report which we are now carefully considering.

Mr. Pawsey: To ask the Secretary of State for Health (1) what is the estimated total annual cost to public funds for treating acquired immune deficiency syndrome sufferers in the United Kingdom; and what is the total amount being spent on research into the disease;

(2) what level of resources his Department plans to devote to combating acquired immune deficiency syndrome in each yar till 1995; and if he will make a statement;

(3) what steps he has taken to satisfy himself as to the adequacy of the level of resources currently devoted to combating the threat posed by acquired immune deficiency syndrome; and if he will make a statement.

Mr. Mellor: We carefully monitor the work of the Health Education Authority, Medical Research Council and the National Health Service in relation to HIV infection and AIDS.

The Government have committed substantial extra resources towards the cost of treatment and for research. It has not been possible to separate fully the total costs of treating people with AIDS, particularly because the effects of AIDS and other HIV-related conditions on individuals can vary widely. An additional £76 million was made available to health authorities and boards this year. Following the statement by my right hon. Friend the Chancellor of the Exchequer, my right hon. and learned Friend the Secretary of State announced that an extra £68 million would be made available for AIDS-related services in England next year. Between 1984-85 and 1987-88 £13·8 million of Government money was spent on research. For 1988-89 the Government are spending around £13 million including £5 million for the Medical Research Council's directed research programme into vaccines and drugs. A further £23·5 million has been committed to the Medical Research Council's directed programme in 1989-90 to 1991-92. Research is also being funded by university departments and by pharmaceutical companies.

Dental Services

Mr. Sean Hughes: To ask the Secretary of State for Health what proportion of the revenue from dental charges was accounted for by dentures in the calendar years 1984, 1985, 1986 and 1987.

Mrs. Currie: The estimated proportion of revenue from dental charges accounted for by dentures is set out in the table. Separate data for England are not available.

England and Wales

Year	*Per cent.*
1984	24
1985	23
1986	21
1987	19

The hon. Member may be aware that the alternatives to dentures for many patients are crowns and bridges, demand for which in England and Wales went up by 20 per cent. and 23 per cent. respectively between 1984 and 1986-87.

Hospital Beds

Mr. Ralph Howell: To ask the Secretary of State for Health (1) if he will state the National Health staff-to-bed ratio for 1985 and 1988 and projected figures for 1989 and 1992 and the percentage change for each of those years relative to the previous year;

(2) if he will state the ratio of National Health Service beds to staff, and the average number of beds unoccupied in the National Health Service daily for 1960, 1970, 1979, 1984 and 1988, respectively.

Mrs. Currie: Such information as we have for England is shown in the tables.

My hon. Friend should be wary of making simple ratios from these figures. Staff within the NHS cover a wide range of Health Service activity inside and outside hospital, some of which is not related to bed use. "Staff in post" figures are taken from a census on 30 September annually, whereas numbers of beds are based on a daily count averaged over a full calendar year.

We have given figures for 1986, the latest year for which figures for both staff in post and numbers of beds are available. Between 1984 and 1985 staff in post fell by 0·8 per cent. and by 1·4 per cent. between 1985 and 1986. Numbers of occupied beds fell by 2 per cent. and 3·5 per cent. respectively in those years. We have no appropriate projections for 1989-1992 as we do not use "staff per bed" for planning purposes.

Table 1
Average Daily Occupied Beds and Unoccupied Beds in the NHS hospitals, England

	Average daily number of occupied beds[2]	*Average daily number of unoccupied beds*[2]
1960	388,007	60,336
1970[1]	351,251	72,370
1979	293,324	68,398
1984	269,324	65,189
1985	263,960	61,527
1986	254,597	61,117

Notes:
[1] The count of occupied beds excluded beds reserved for psychiatric patients on short leave.
[2] Bed occupancy figures are based on a midnight count and do not reflect the use of beds by patients who do not stay overnight.

Table 2
NHS Directly Employed Staff at 30 September: England

Year	*Whole-Time Equivalents*[1]
1960	[2]—
1970	[2]—
1979	775,300
1984	819,300
1985	812,900[3]
1986	801,600[3]

Notes
[1] Figures have been rounded to the nearest hundred.
[2] Staffing figures for 1960 and 1970 are not available on a basis comparable with later years.
[3] Part of the reduction in staff is attributable to the effects of competitive tendering in the ancillary staff group.

Cochlear Implants

Mr. Galbraith: To ask the Secretary of State for Health when cochlear implants will be available on the National Health Service; and if he will make a statement.

Mrs. Currie: Cochlear implants are an exciting new development which may help some profoundly deaf people, and one which we would expect to become more widely available than at present. It is, however, for health authorities to determine the pace at which new developments, including cochlear implants, become available locally. No doubt they will take into account medical opinion as to the benefits of this treatment as against other forms of treatment for sensorineurally deaf people, as well as their assessment of local needs and priorities and available resources.

Psychiatric Hospitals (Closures)

Mr. Irving: To ask the Secretary of State for Health whether there are plans to close any psychiatric hospitals involving discharge of patients to the eight health districts which are without community psychiatric nurses.

Mrs. Currie: The Government's long-standing policy is that people with mental illness should have access to all the services they need as locally as possible. We would expect the appointment of community psychiatric nurses, in the eight districts to which my hon. Friend refers, before patients are discharged there in any numbers from the relevant mental hospitals.

Eye Tests

Mr. Austin Mitchell: To ask the Secretary of State for Health whether he will publish in the *Official Report* a table for each financial year since 1973 and his estimate for the current year of the number of ophthalmic tests carried out under the National Health Service and the number of new eye glasses prescribed, the cost of the tests and the glasses prescribed, the number for which payment had to be paid in whole or in part and the estimated average percentage contribution to the total cost in such cases and the number of free treatments for *(a)* children, *(b)* pensioners and *(c)* other beneficiaries, together with the numbers qualifying for such treatment and the cost; and what is his estimate of the average number of treatments given to a married manual worker, his wife and two children, together with the amount charged for those treatments.

Mr. Mellor: The information available is given in the table. It does not enable us to estimate the number of sight tests, spectacles and charges for a manual worker and his family.

General ophthalmic services (England—figures in millions)

	1973-74	*1974-75*	*1975-76*	*1976-77*	*1977-78*	*1978-79*	*1979-80*	*1980-81*
Number of sight tests[1]	6·9	7·2	7·4	7·7	7·4	7·9	8·3	8·3
Cost of sight tests[1]	£10·9	£12·2	£20·1	£25·1	£25·9	£29·3	£34·8	£37·7
Pairs of glasses supplied	4·5	5·1	5·5	4·8	4·5	4·6	4·7	4·8
Number of vouchers	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
Cost of NHS glasses	£18·2	£23·3	£33·7	£37·0	£40·0	£44·8	£53·8	£64·9
Voucher costs	—	—	—	—	—	—	—	—
Pairs of glasses supplied free to children	0·13	0·11	0·13	0·14	0·29	0·33	0·36	0·37
Number of persons for whom charges were remitted or refunded	n.a.	n.a.	0·61	0·71	0·75	0·74	0·72	0·74
Value of charge, remissions or refunds	n.a.	n.a.	£3·0	£5·3	£6·8	£7·1	£7·2	£7·5

General ophthalmic services (England—figures in millions)

	1981-82	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89 estimates*
Number of sight tests[1]	8·5	8·7	9·3	9·9	10·2	10·6	11·7	12·2
Cost of sight tests	£50·3	[2]£68·2	£73·0	£81·1	£85·2	£84·8	£103·8	£108·6
Pairs of glasses supplied	4·9	4·8	5·0	4·9	[3]2·7	0·8	—	—
Number of vouchers[4, 5]	[6]—	[6]—	[6]—	[6]—	[6]—	1·5	2·5	2·5
Cost of NHS glasses	£73·7	£132·1	£86·2	£88·4	£49·6	£18·1	—	—
Voucher costs[4]	—	—	—	—	—	£25·9	£46·3	£50·7
Pairs of glasses supplied free to children	0·40	0·40	0·39	0·4	n.a.	—	—	—
Number of persons for whom charges were remitted or refunded	0·83	1·02	1·18	1·33	n.a.	—	—	—
Value of charge, remissions or refunds	£9·3	£15·0	£19·6	£22·1	n.a.	—	—	—

Notes:

[1] All sight tests were free to patients.

[2] These figures are distorted by payment of arrears of fees.

[3] From 1 April 1985 NHS spectacles were available only to children and adults who were exempt from charges.

[4] Vouchers replaced NHS spectacles for children and exempt adults from 1 July 1986.

[5] Approximately 30 per cent. of vouchers are for children under 16 and full time students under 19.

[6]—Not applicable.

n.a. Not available.

Prescription Charges

Mr. Austin Mitchell: To ask the Secretary of State for Health what is the estimated cost to the Revenue of exempting the elderly from prescription charges; and what would be the revenue gain from limiting the exemption to *(a)* those who qualified for supplementary benefit and *(b)* those who would qualify for income support by raising the ceiling on means by 50 per cent.

Mrs. Currie: We estimate that the cost of exempting people over state pensionable age from prescription

charges is about £300 million a year. It is not possible to estimate reliably the cost of exempting only those pensioners in receipt of income support (formerly supplementary benefit) or who would qualify by raising the ceiling on means by 50 per cent.

Mr. Fisher: To ask the Secretary of State for Health what his estimate is of the total number of people entitled to claim exemption from prescription charges on grounds of low income.

Mrs. Currie *[holding answer 11 November 1988]:* We estimate that about 6 million people are automatically entitled to exemption from prescription charges because they are in receipt of qualifying benefits. (Some will also be exempt on other grounds.) We are unable to estimate the numbers of people not in receipt of such benefits who are entitled to claim exemption on grounds of low income.

Ethnic Monitoring

Mrs. Dunwoody: To ask the Secretary of State for Health if he will take steps to introduce a classification on the basis of ethnic origin to the general household survey, earnings survey, and census, in order that comparative data may be collected.

Mrs. Currie: Plans for the 1991 census were announced in the White Paper "1991 Census of Population" Cm. 430 published in July 1988. The Government propose to include a question on ethnic group in the 1989 census test and to study the results before deciding whether to include such a question in the 1991 census.

The general household survey has included a question on ethnic group since 1983 and the labour force survey has included one since 1979. The same classification is used in both these voluntary surveys but it is slightly different from that proposed for the census question. If the 1991 census does include a question on ethnic group, consideration will be given to using a similar classification in voluntary surveys, to ensure comparability of data from different sources.

Drug Addicts (Needles)

Mr. Gareth Wardell: To ask the Secretary of State for Health if he will publish in the *Official Report* a list of those centres which operate needle exchange schemes for drug addicts.

Mrs. Currie: I regret that we do not collect centrally details of all the needle exchange schemes operating in England as they do not need to refer to the Department before starting. It is estimated that there are currently at least 60 schemes in operation, run by health and local authorities, non-statutory services and pharmacies.

Community Care

Mr. Irving: To ask the Secretary of State for Health if he has anything to add to his statement to the House on 16 March, *Official Report*, column 615, that he was not aware of any health authority which had closed facilities without the provision of appropriate alternative services in the light of the evidence from his Department recorded in the report on "Community Care Developments" from the Committee of Public Accounts.

Mr. Mellor: We are seeking to further improve our monitoring of the development of community care services, but are not at present aware of any such closures.

Health and Medicines Bill

Mr. Shersby: To ask the Secretary of State for Health what timetable he is proposing for consultation with professional bodies on the regulations to be made under clauses 13 and 14 of the Health and Medicines Bill following the Royal Assent.

Mr. Mellor: We propose to start the consultation on these regulations shortly after Royal Assent with the intention of completing the process in time to implement the sight test changes with effect from 1 April 1989.

Pharmaceutical Products

Mr. Spearing: To ask the Secretary of State for Health if he has anything to add to the statements made in the First Standing Committee on European Community Documents on Wednesday 9 November concerning the rights of Her Majesty's Government in respect of legislation for trade in pharmaceutical products.

Mrs. Currie: I shall write to the hon. Member.

Health Authorities

Mr. Gale: To ask the Secretary of State for Health if he will set out in the *Official Report* a table showing the income, expressed on a per capita basis, for each of the regional health authorities of England and Scotland and for Wales for the years 1983-84 to 1986-87.

Mr. Mellor: Cash-based information for health regions in England is shown in the table. Questions about health authorities in Scotland and Wales are matters for my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for Wales.

Total cash resources per capita (£)

Region	*1983-84*	*1984-85*	*1985-86*	*1986-87*
Northern	193	205	216	233
Yorkshire	188	198	211	225
Trent	176	187	199	214
East Anglian	176	187	198	211
North West Thames	206	218	226	239
North East Thames	241	252	260	277
South East Thames	219	229	240	256
South West Thames	200	214	220	237
Wessex	175	192	202	215
Oxford	161	170	177	189
South Western	191	203	212	225
West Midlands	180	193	207	222
Mersey	203	216	226	244
North Western	211	223	233	249

Sources:

(a) Annual accounts of regional and district health authorities.

(b) Mid-year estimates of resident population—1983 to 1986.

Notes to the table:

1. The total cash resources for each region are those used for all revenue and capital purposes and cash drawn from the Department. Local income and payments made centrally or by other authorities on behalf of the authorities within each region is also included.

2. The population figures make no allowance for persons resident in one region who receive treatment in another or for differences in age/sex structures and morbidity.

3. Resources employed by family practitioner committees to meet payments to doctors, dentists, pharmacists and others contracted to provide family practitioner services are excluded.

Abortions

Mrs. Ann Winterton: To ask the Secretary of State for Health whether he intends to take any action to ensure

that those doctors currently performing abortions on babies of 23 weeks or more gestation are made aware of the protection afforded by the Infant Life (Preservation) Act to all babies capable of being born alive; and if he will make a statement.

Mrs. Currie: The provisions of the Infant Life (Preservation) Act are made clear in the report on foetal viability and clinical practice which was issued, in September 1985, to all fellows and members of the Royal College of Obstetricians and Gynaecologists, and to all private sector places approved to carry out abortions beyond 20 weeks' gestation. The publicity given to recent consideration of proposed legislation both in this House and another place have highlighted these provisions to the medical profession and we see no need for further action at this time.

Spinal Cord Injury

Mr. David Nicholson: To ask the Secretary of State for Health what information he has on the number of people in the United Kingdom who are suffering from spinal cord injury; and what representations his Department has had since June 1987 from the international spinal research trust.

Mrs. Currie: I regret that we do not hold information centrally on the numbers of people suffering from spinal cord injury. Since 1987 the Department has received no representations from the international spinal research trust.

Nurses (Regrading)

Mr. David Nicholson: To ask the Secretary of State for Health (1) what information he has as to whether health authorities are using the same criteria of specialist knowledge in their regrading processes for staff nurses and sisters;

(2) what information he has as to how many health authorities in England *(a)* are and *(b)* are not treating the orthopaedic area as a specialist area for trained nurses and are thus in their regrading taking account of the specialist qualification; and if he will make a statement.

Mr. Mellor: The agreed grading definitions do not refer in terms to specialist knowledge or specialist qualifications, although they are designed to recognise and reward clinical skills and knowledge in all areas of nursing and midwifery. The Department has been working closely with health authorities to ensure that grading is carried out consistently in line with definitions, but it is for authorities themselves to decide how the grading definitions should apply in particular posts or areas of work.

Rape

Ms. Richardson: To ask the Secretary of State for Health if he intends to change the statutory HSA4 notification form in order to make provision for the specific notification of rape when this has preceded a legal abortion; whether he intends to notify all doctors that they should voluntarily put this information on the form in order that accurate and complete statistics can be obtained; whether there has ever been a suggestion to doctors that they should provide that information when a pregnancy has been legally terminated following rape; and what steps he has taken to assess the number of unreported rapes.

Mr. Currie: I shall write to the hon. Member.

Speech Therapists

Ms. Richardson: To ask the Secretary of State for Health whether he will instruct his representative on the management side to offer speech therapists a salary increase commensurate with increases with those offered to the professions allied to medicine; and if he will make a statement.

Mr. Mellor: Pay negotiations are a matter for the appropriate Whitley council.

Glaucoma

Mr. Tom Arnold: To ask the Secretary of State for Health what arrangements he has now made for identifying and advising close relatives of sufferers from glaucoma.

Mrs. Currie: I shall write to my hon. Friend.

Health Authorities (Expenditure)

Mr. Gordon Brown: To ask the Secretary of State for Health what figures he has for the total expenditure by health authorities on *(a)* rates, *(b)* water rates, *(c)* electricity and *(d)* national insurance, for each year from 1987-8 to 1989-90.

Mr. Mellor: I shall write to the hon. Member.

Nurses (Pay)

Ms. Harman: To ask the Secretary of State for Social Services (1) whether he has received any representations in respect of the North East Thames regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award, expressed in cash and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(2) whether he has received any representations in respect of the North West Thames regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award, expressed in cash and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(3) whether he has received any representations in respect of the Oxford regional health authority about the

adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash terms and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(4) whether he has received any representations in respect of the South East Thames regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash terms and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(5) whether he has received any representations in respect of the South West Thames regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash terms and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(6) whether he has received any representations in respect of the South Western regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash terms and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(7) whether he has received any representations in respect of the Trent regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(8) whether he has received any representations in respect of the Wessex regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(9) whether he has received any representations in respect of the Northern regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(10) whether he has received any representations in respect of Mersey regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award expressed in cash and in terms of the percentage of the region's nursing budget; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(11) whether he has received any representations in respect of North Western regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award, expressed in cash and in terms of the percentage of the region's nursing budget ; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(12) whether he has received any representations in respect of East Anglia regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award, expressed in cash and in terms of the percentage of the region's nursing budget ; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(13) whether he has received any representations in respect of Yorkshire regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award, expressed in cash and in terms of the percentage of the region's nursing budget ; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award;

(14) whether he has received any representations in respect of West Midlands regional health authority about the adequacy of its allocation for the nurses' pay award; how much he has allocated to that region in respect of the nurses' pay award, expressed in cash and in terms of the percentage of the region's nursing budget ; on what basis he made this allocation; if he has any contingency plans if the cost of the outcome of the clinical grading review exceeds the sum allocated; what is the current regional expenditure on nurses' pay; and what advice he has given that region about how it should keep the cost of the outcome of the clinical grading review within the sum allocated to that region for the nurses' pay award.

Mr. Mellor *[holding answer 18 July 1988]:* I refer the hon. Member to my right hon. and learned Friend's reply to the hon. Member for Birkenhead (Mr. Field) on 21 October at columns *1026-27*.

The full estimated cost of the award has been met. The extra funding for each region is based on health authorities' own assessments of the cost of the exercise.

TRANSPORT

London Regional Transport and London Underground Ltd. (Employment Contracts)

Mr. Spearing: To ask the Secretary of State for Transport if he will publish that part of the employment contract of the chairman of London Regional Transport and board members or chairman of London Underground Ltd. relating to resignations, together with details of any legal liability including compensation payments in the event of resignation; and if he will make a statement.

Sir Keith Bright and Dr. Tony Ridley

Mr. Prescott: To ask the Secretary of State for Transport what are the entitlements for a full and unprejudiced settlement arising out of the employment contracts of Sir Keith Bright and Dr. Ridley after their resignation from London Regional Transport; and if he will make a statement.

Mr. Portillo: I have arranged for copies of the terms of appointment of Sir Keith Bright (which apply by virtue of section 70(1) of the London Regional Transport Act 1984) and of Dr. Ridley to be placed in the Library of the House. Pending any claims by either of those concerned it would not be appropriate for me to make any statement relating to the question of liability.

Bedford Bypass

Sir Trevor Skeet: To ask the Secretary of State for Transport, pursuant to his reply of 31 October, *Official Report*, columns *554-55*, if he will take measures to alleviate congestion in the town of Bedford prior to the completion of its bypass.

Mr. Peter Bottomley: Construction of the Bedford bypass is scheduled to start in 1990. This is subject to completion of statutory procedures. Measures to alleviate traffic congestion in the town have been carried out in recent years. There is little scope for further improvement prior to the completion of the bypass.

Greater London (Road Building and Improvement)

Mr. Spearing: To ask the Secretary of State for Transport if he will list in the *Official Report* those major road building and improvement schemes in Greater London which he has under active consideration; and for each if he will state the name of any consultant or body whom he has commissioned in connection with it, the approximate costs of construction and compensation, respectively, and its length and dimensions.

Mr. Peter Bottomley: I will write to the hon. Member.

Severn Bridge (Tolls)

Mr. Stern: To ask the Secretary of State for Transport when the public inquiry into proposed tolls increase at the Severn bridge will be held.

Mr. Peter Bottomley: The inquiry will open on 21 February 1989. It will be held at the Armstrong halls, Thornbury, near Bristol. Formal notice of the inquiry will be given in due course.

British Rail (Operating Subsidy)

Mr. Gordon Brown: To ask the Secretary of State for Transport whether he has made any estimate of the additional road traffic generated by reductions in British Rail's operating subsidy.

Mr. Peter Bottomley: I shall write to the hon. Member.

Unidentified Flying Objects

Mr. Teddy Taylor: To ask the Secretary of State for Transport if he will make a statement on the routes covered by the experimental United States Streak aircraft in the United Kingdom in recent weeks; and if any of these involved journeys over the south-east of England.

Mr. Archie Hamilton: I have been asked to reply. I shall write to my hon. Friend.

ENERGY

Marchwood Laboratories

Mr. Colvin: To ask the Secretary of State for Energy if he will make a statement about the proposed ownership of the Marchwood, Berkeley and Leatherhead laboratories.

Mr. Michael Spicer: I have asked the chairman of the Central Electricity Generating Board to write to my hon. Friend.

NATIONAL FINANCE

Wives (Earnings)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each year since 1978 and his forecast for 1988 *(a)* the number of wives electing to have their earnings taxed separately *(b)* the number paying higher rate tax on their earnings and from 1985 only *(c)* the number under *(a)* and *(b)* with (i) investment income aggregated with their husband's income for tax purposes or (ii) claiming mortgage interest relief; and if he will add figures showing the cost to the revenue in the cases requested together with the average amount of investment income and the average mortgage on which relief is claimed.

Mr. Norman Lamont: Available information is in the tables. Estimates for years up to 1985-86 are based on the annual surveys of personal incomes. Estimates for later years are based on a projection of the 1985-86 survey of personal incomes and are provisional.

Table 1: Wife's earnings elections

	Number ('000)	*Cost (£ million)*
1978-79	120	100
1979-80	120	90
1980-81	150	100
1981-82	250	170
1982-83	220	190
1983-84	180	170
1984-85	190	190
1985-86	180	220
1986-87	210	270
1987-88	280	390
1988-89	300	250

Table 2: Wives with wife's earnings election

	Number ('000)	*Wives with Investment Income ('000)*	*Average amount of wife's Investment Income (£ p.a.)*	*Married couples with mortgage interest relief ('000)*	*Average Amount of mortgage interest relief (£ p.a.)*
1985-86	180	130	1,200	120	2,300
1986-87	210	150	1,200	150	2,200
1987-88	280	210	1,100	200	2,100
1988-89	300	230	1,100	220	2,300

Table 3: All wives whose earnings are liable to higher rate tax[1]

	Number ('000)	*Wives with Investment Income ('000)*	*Average amount of wife's Investment Income (£ p.a.)*	*Married couples with mortgage interest relief ('000)*	*Average Amount of mortgage interest relief (£ p.a.)*
1985-86	280	200	700	190	2,000
1986-87	290	220	700	210	1,900
1987-88	300	210	700	220	1,900
1988-89	310	210	900	220	2,400

[1] Wives with and without a wife's earnings election as appropriate.

Public Bodies

Mr. Ralph Howell: To ask the Chancellor of the Exchequer (1) what was *(a)* the total number of persons in the United Kingdom employed in central Government Departments and in local government for 1960, 1970, 1979, 1984 and 1988, *(b)* the percentage of the total population and total work force these figures represent for those years, *(c)* the value of the total salaries and employment costs of these two groups for the same years and *(d)* the percentage of gross domestic product these sums represent for those years; and if he will give any information he may have as to equivalent figures for France, West Germany, the United States of America and Japan;

(2) if he will list all those public bodies which in 1979 were included in the public sector and have now been privatised, denationalised or in some way removed from the public sector; and how many persons each such body employed at the time of transfer from the public sector.

Mr. Major: I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to my hon. Friend and place a copy of the letter in the Library.

Age Allowance

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for 1978-79 and his forecast for the current financial year *(a)* the number of aged married couples and single persons, *(b)* the amount of the age allowance for those aged above and below 80 years, *(c)* the age allowance ceiling, *(d)* the post-tax income of a tax unit on the threshold of the clawback of the age allowance in each case, *(e)* the amount of the state pension, *(f)* average earnings, *(g)* the maximum level of income support payable to those on a state pension and *(h)* the income below which income support would not be payable.

Mr. Norman Lamont: Available information is in the table. There was no ceiling to the amount of income support payable and no set income level above which it was not payable.

	1978-79	*1988-89*
Number of married couples aged 65 and over[1] (million)	2·6	2·9
Number of single persons aged 65 and over (million)	4·2	5·0

	1978-79	*1988-89*
Aged single allowance (£)		
65-79	1,300	3,180
80 and over	1,300	3,310
Aged married allowance (£)		
65-79	2,075	5,035
80 and over	2,075	5,205
Aged income limit[2] (£)	4,000	10,600
Post tax income at aged income limit (£)		
single aged 65-79	3,169	8,745
single aged 80 and over	3,169	8,778
married aged 65-79	3,425	9,209
married aged 80 and over	3,425	9,251
Basic state retirement pension at April (£ pw)		
single	17·50	41·15
married	28·00	65·90
Average earnings for a man working a full week whose pay is unaffected by absence (£ pw)	92·8	[3]254·1

[1] Based on the age of the husband or the wife, whichever is the elder.
[2] Total income less allowable deductions.
[3] Forecast, based on increase in average earnings assumed in Autumn Statement 1988, Chapter 3, for purpose of assessing national insurance contributions.

Inflation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the current and forecast rate of inflation on a 12 months' basis; what it was in the month in which he took office; what was the rate in each succeeding 12 months; to what extent the change in each case was due to *(a)* higher interest rates and *(b)* a higher exchange rate; and if he will publish in the *Official Report* a table showing the increase/reduction in each period in (i) interest rates, (ii) the rate of exchange against the deutschemark, (iii) the relative export price of United Kingdom manufacturers, (iv) the terms of trade for finished manufacturers and (v) the increase in unit labour costs in manufacturing and non-manufacturing.

Mr. Major: Information on the latest RPI increase and my right hon. Friend's forecast are given in the Autumn Statement (HC 695). The remainder of the information requested can be derived from *Economic Trends*, *Financial Statistics*, the *Employment Gazette* and the *Monthly Review of External Trade Statistics*.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer to what extent the increase in interest rates is intended to curb inflation by *(a)* raising the exchange rate, *(b)* reducing the real disposable incomes of mortgagees, *(c)* making other forms of consumer credit more expensive and *(d)* curbing takeovers and other forms of asset speculation.

Mr. Lilley: Monetary conditions need to be considered as a whole and it is neither sensible nor possible to give precise estimates of the effects of interest rate changes working through each individual channel.

National Insurance Fund

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of *(a)* the likely increase in the income of the national insurance fund and reduction in expenditure as a result of a reduction in unemployment to the 1973 level and *(b)* the increase in other public revenues and reduction in public expenditure nationally and locally from both the reduction in unemployment and the increase in employment.

Mr. Major: It is not possible to make any meaningful estimates.

Welfare Benefits

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the percentage of public expenditure spent centrally or through local authorities in the United Kingdom, Germany, France and Sweden on *(a)* health services, including dentistry, and so on, *(b)* pensions, *(c)* child benefit, *(d)* unemployment benefit and *(e)* other welfare benefits in the latest year for which figures are available together with figures showing the amount collected in income tax and the amount paid in social security as a percentage of gross domestic profit compared to 1978-79.

Mr. Major: The information asked for is not available on a comparable basis across countries. That which is available on a comparable basis is given in the table, which uses OECD definitions and categories of public expenditure and taxes. These definitions do not precisely match those used in the public expenditure White Paper or the financial statement and Budget report. For instance, "social assistance grants" includes payments to enterprises as well as individuals, and "taxes on income" includes capital gains and corporation tax.

Percentages

		United Kingdom	*Germany*	*France*	*Sweden*
Percentage of total outlay spent on:					
Health	1978	10·8	12·7	12·9	n/a
	1986	11·3	[1]13·3	[1]18·8	n/a
Social Security and Welfare	1978	27·8	41·4	40·3	n/a
	1986	32·7	[1]39·9	[1]33·8	n/a
Percentages of GDP:					
Taxes on income	1978	13·7	12·3	5·8	n/a
	1986	14·5	11·7	6·5	n/a
Social Security Benefits and Social Assistance Grants	1978	10·1	15·0	16·6	16·8
	1986	12·8	14·1	20·0	17·9

[1] 1985.
Source: OECD National Accounts, 1988 and earlier years.
n/a = not available.

Earned Income

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the amount of income tax payable on earned income in the current financial year as a percentage of earned income and in 1978-79; and what are the corresponding figures for West Germany.

Mr. Norman Lamont: Tax liability on earned income as a percentage of earned income is estimated to be 19 per cent. in 1978-79 and 15 per cent. in 1988-89. This calculation takes earned income as the bottom slice of income. I regret that corresponding figures for West Germany are not available.

Income Tax

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if, pursuant to his reply of 19 October, *Official Report*, columns *927-28*, relating to the number of tax units and tax liability, he will revise the table to include lower limits at £1,000 intervals to £15,000 and at £17,500, £25,000 and £40,000.

Mr. Norman Lamont: The estimates in the table referred to by the hon. Member are based on a projection of the 1985-86 survey of personal incomes, a survey in tax offices of about 70,000 taxpayer records. As estimates for 1988-89 are based on sample data projected forward three years they are subject to uncertainty. Further disaggregation of the information in the earlier reply would lead to estimates that were subject to a large degree of uncertainty and possibly misleading.

Labour Statistics

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what was the total number of people employed in each of the following organisations in 1979 and at the time each organisation was privatised *(a)* British Aerospace, *(b)* Cable and Wireless, *(c)* Britoil and Associated British Ports, *(d)* Enterprise Oil, *(e)* British Telecom, *(f)* British Gas, *(g)* British Airways and *(h)* Trust Ports (GB).

Mr. Norman Lamont: The information is as follows:

Numbers employed 000s

	Mid-1979	*At time of privatisation*
British Aerospace	73	73
Cable and Wireless	1·9	2·0
Britoil	[1] ..	2·5
Associated British Ports	11	10
Enterprise Oil	[2] ..	negligible
British Telecom	240	240
British Gas	103	89
British Airways	58	36
Trust Ports (GB)	17	10

.. Not available.

[1] Britoil commenced trading on 1 August 1982, previously being part of the British National Oil Corporation. Total numbers employed in the latter organisation at mid-1979 were 1,400.

[2] Enterprise Oil became a nationalised industry on 1 September 1983 previously being part of British Gas. Numbers employed at the time of privatisation were negligible.

Unit Trusts

Mr. Dykes: To ask the Chancellor of the Exchequer if he will examine ways in which income accruing from overseas portfolio investments and deposits could be subjected to income tax; and what representations he has received seeking action to equalise the treatment afforded to United Kingdom unit trusts in comparison with other European countries' unit trusts.

Mr. Norman Lamont: Income from overseas investments and deposits is generally subject to income tax or corporation tax in the hands of United Kingdom taxpayers. Representations have been received from the Unit Trust Association and others about the comparative tax treatment of United Kingdom unit trusts and similar investment vehicles in other European countries. These representations are being considered.

Mr. Dykes: To ask the Chancellor of the Exchequer if he will examine the tax position of registered British unit trusts to bring them into line with the tax position of unit trusts offered by European Community member companies.

Mr. Norman Lamont: We are examining a number of representations about the relative tax treatment of United Kingdom unit trusts and other European investment vehicles.

National Debt

Mr. Ground: To ask the Chancellor of the Exchequer what was the national debt, including foreign currency debt but excluding official holdings, outstanding at the end of March in each of the years 1987 and 1988, as a percentage of gross domestic product, average measure, at current market prices centred on 31 March.

Mr. Lilley: The national debt, including foreign currency debt but excluding official holdings stood at £168·2 billion (41·6 per cent. of GDP) at end-March 1987 and at £177·9 billion (40·1 per cent. of GDP) at end-March 1988. Further details are given in the November 1988 *Bank of England Quarterly Bulletin*, which also gives estimates of net public sector debt which is nowadays a more useful concept than the national debt.

Savings Ratio

Mr. Michael Morris: To ask the Chancellor of the Exchequer what financial holdings form the savings ratio.

Mr. Lilley: The savings ratio is the ratio of personal sector net savings to personal disposable income. The most important financial holdings within personal savings are those held in life assurance and pension funds, bank and building society accounts, share ownership and national savings.

Women (Incomes)

Mr. Gordon Brown: To ask the Chancellor of the Exchequer what his estimate of the average income of women of working age with *(a)* no dependent children, *(b)* at least one dependent child under five years and *(c)* children aged five to 16 years giving for *(b)* and *(c)* the average number of children per family.

Mr. Norman Lamont: This is a matter for my right hon. Friend the Secretary of State for Social Security.

EC Expenditure

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what was the total public expenditure on the EC in pounds sterling of *(a)* all member states and *(b)* the United Kingdom (i) as a percentage of total public expenditure and (ii) as a percentage of gross domestic product for 1973 and each subsequent year.

Mr. Major: United Kingdom expenditure on the EC is measured as net payments to European Community institutions. Comparable information for the other member states is not available. The table compares the United Kingdom's own resources payments (after abatement) with the total of own resources payments for all EC member states, as a percentage of GDP and of the current and capital expenditure of general Government on EC definitions. Information covering years before 1981 is not readily available.

Own Resources Payments (after abatement)

	As percentage of GDP		*As percentage of expenditure by general government*	
	UK	*EC (EC10)*	*UK*	*EC (EC9)*
1981	0·8	0·8	2·0	1·7
1982	1·0	0·9	2·5	1·8
1983	1·0	0·9	2·4	1·9
1984	1·0	0·9	2·3	1·9
1985	0·9	0·8	2·1	1·8
1986	0·9	0·9	—	—

Note: EC10 excludes Spain and Portugal, EC9 also excludes Greece.
Source: Eurostat Review, 1988.

Public Sector Expenditure

Mr. Ralph Howell: To ask the Chancellor of the Exchequer, if he will publish a table showing the total expenditure and total estimated expenditure on wages, salaries and pensions in the public sector for 1970, 1979, 1984 and 1988; and what percentage of *(a)* gross domestic product and *(b)* public expenditure these figures represent.

Mr. Major: The latest available information on expenditure on public service pay (including pensions), which is consistent with figures published in the 1988 public expenditure White Paper (Cm. 288), is given in the table. Corresponding figures for years prior to 1982-83 are not readily available on a consistent basis. Although some estimated outturn figures for 1988-89 were published recently in the autumn statement a breakdown of these figures by economic category will not be available until the publication of the 1989 White Paper.

	1984-85 outturn	*1988-89 plans*
Expenditure on public services pay included in the public expenditure planning total (£ million)	40,944	51,885
As a percentage of		
(a) General government expenditure (excluding privatisation proceeds)	27	27½
(b) Gross domestic product	12½	11½

Retail Prices Index Error

Mr. Ashley: To ask the Chancellor of the Exchequer what amount of money was paid to charities following the discovery of an error in the retail prices index; how it was allocated amongst the charities; in how many instalments it is to be paid; how much revenue will accrue to the Treasury from the interest on money not paid immediately; and if he will make it his policy to add this interest to the amounts allocated to the charities.

Mr. Lawson: I have nothing further to add to the written answers of my right hon. Friend the Paymaster General on 3 May at column *400* and my hon. Friend the Minister for Social Security on 3 May at column *422* and 29 June at column *273*.

Price Inflation

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what has been the total percentage rise in the rate of price inflation, as measured by the relevant gross domestic product deflation from the year 1981 to 1988 inclusive in the United Kingdom, the United States of America, Japan, France and the Federal Republic of Germany, respectively.

Mr. Lawson: Figures for the rise in the deflator between 1981 and 1987 are shown in the table. Data for 1988 not yet available.

GDP deflator total percentage change 1981-87

	Per cent.
United States of America[1]	25
Japan[1]	7
France	50
West Germany[1]	18
United Kingdom	36

Source: OECD Quarterly National Accounts.
[1]GNP at market prices not GDP.

Money Supply

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what has been the total percentage rise in the rate of money supply as measured by notes and coins in circulation from the year 1981 to 1988 in the United Kingdom, the United States of America, Japan, France and the Federal Republic of Germany, respectively.

Mr. Lawson: Figures for the rise in the supply of notes and coins are shown in the table. Data for 1988 are not yet available.

Growth of notes + coins in circulation percentage change 1981-87 (in local currency)

	Per cent.
United States of America	58
Japan	44
France	39
West Germany	48
United Kingdom	34

Sources: Federal Reserve Bulletin Table 1.21 Row 6 January 1986 and October 1988
Bank of Japan Economic Statistics Monthly Table 1 column 1 August 1988
Insee Bulletin de Statistique Table 16 Finances Row Billets et Monnaies June 1984 and September 1988
Deutsche Bundesbank Monthly Report Statistical

Supplement Series 4 Table Central Bank Money Stock column 4 June 1984 and October 1988
CSO Financial Statistics Table 11.2 column 1 July 1984 and September 1988

Note: Definitions of notes and coins in circulation may vary from country to country.

National Savings

Mr. David Nicholson: To ask the Chancellor of the Exchequer whether the control of misleading advertisements regulations apply to the Department for National Savings.

Mr. Lilley: The operation of these regulations is the reponsibility of the Director General of Fair Trading and I will ask my right hon. Friend the Chancellor of the Duchy of Lancaster to write to my hon. Friend on this matter.

EC (United Kingdom Contribution)

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what was the net contribution made by the United Kingdom to the European Economic Community in 1979; and what was the comparable sum in 1988, including the IGA.

Mr. Brooke: I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to my hon. Friend and place a copy of the letter in the Library.

Capital Movements

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if freedom of capital movements within the European Economic Community has now been achieved; and if he will make a statement.

Mr. Lilley: I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to my hon. Friend and place a copy of the letter in the Library.

Customs Station, Damolly

Mr. John D. Taylor: To ask the Chancellor of the Exchequer what is the cost of the new Customs station at Damolly, Newry; what purposes this station will serve after 1992; and what proportion of the new station will not be required after 1992.

Mr. Lawson: I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to the right hon. Member and place a copy of the letter in the Library.

Scotland (Exchequer Receipts)

Mr. Barry Field: To ask the Chancellor of the Exchequer if he will list total Exchequer receipts from Scotland for each of the last nine years and the total expenditure in Scotland by all Departments.

Mr. Major: I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to my hon. Friend.

Economic and Finance Council

Mr. Hind: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Lilley: The Ecofin Council met in Brussels on 7 November. I represented the United Kingdom. The Council discussed the economic situation in the Community in preparation for the Rhodes European Council on 2-3 December. The Council discussed a draft directive on own funds at credit institutions and agreed further work was necessary before the Council considered the matter again. The Council discussed a draft directive on public offer prospectuses and agreed further work was necessary before the Council considered the matter again. The Council discussed a Commission proposal on a replacement regulation for 2892/77 on arrangements for collection of VAT own resources and agreed to consider the matter again at the December Ecofin. The Council agreed to discuss a Commission proposal on the financing of major infrastructure projects (financial engineering) at the December meeting. The Council agreed to review the draft second banking co-ordination directive and its reciprocity provision at the December Ecofin.

Taxes and Income

Mr. Gordon Brown: To ask the Chancellor of the Exchequer (1) what is his estimate of the total reduction in capital gains tax liability resulting from the changes in the 1988 Budget for the year 1988-89;

(2) what is his estimate of the reduction in annual liability to inheritance tax resulting from the changes in the 1988 Budget for the years 1988-89 and 1989-90;

(3) what was the investment income and earned income in 1987-88 of *(a)* the top 1 per cent., *(b)* the top 5 per cent., *(c)* the top 20 per cent., *(d)* the top 30 per cent., *(e)* the bottom 70 per cent., *(f)* the bottom 50 per cent. of taxpayers and *(g)* all taxpayers;

(4) what has been the increase in *(a)* investment income, *(b)* full-time earnings and *(c)* part-time earnings since 1979;

(5) what is his estimate for 1988-89 of the average reduction in income tax liability for *(a)* working men, *(b)* working women and *(c)* pensioners, as a result of the changes in income tax announced in the 1988 Budget;

(6) what is the number of households qualifying for age allowance in £1,000 income bands beginning at £1,000 up to £20,000, and £10,000 bands thereafter, stating the average household income for those not qualifying for age allowance.

Mr. Norman Lamont: I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to the hon. Member and place a copy of the letter in the Library.

Pensions

Mr. Gordon Brown: To ask the Chancellor of the Exchequer if he will list the single person's pension as a percentage of average earnings for each year since 1979.

Mr. Norman Lamont: This is a matter for my right hon. Friend the Secretary of State for Social Security.

Civil Service (Transfers)

Mr. Parry: To ask the Chancellor of the Exchequer how many Civil Servant jobs have been transferred from London to Liverpool in each of the past five years.

Mr. Brooke *[holding answer 14 November 1988]:* I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to the hon. Member and place a copy of the letter in the Library.

Mr. Parry: To ask the Chancellor of the Exchequer if he has any further plans to transfer Civil Service jobs to Liverpool; and if he will make a statement.

Mr. Brooke *[holding answer 14 November 1988]:* I regret that it has not been possible to provide an answer before Prorogation. Therefore, I shall write to the hon. Member and place a copy of the letter in the Library.

Revenue (Liverpool)

Mr. Parry: To ask the Chancellor of the Exchequer what percentage of Government revenue has been raised in Liverpool in each of the past five years.

Mr. Major *[holding answer 14 November 1988]:* I regret that the figures are not available.

GDP (Liverpool)

Mr. Parry: To ask the Chancellor of the Exchequer what percentage of the gross domestic product has been produced in Liverpool in each of the past five years.

Mr. Major *[holding answer 14 November 1988]:* I regret that the figures are not available. Figures for the GDP produced in Merseyside, as a whole, in 1984 and for earlier years have been published in the January 1988 issue of *Economic Trends* (No. 410). Figures for more recent years are not available: those for 1987 will be published towards the end of next year.

Wealth Creation (Liverpool)

Mr. Parry: To ask the Chancellor of the Exchequer what percentage of the nation's wealth was created in Liverpool in each of the past five years.

Mr. Major *[holding answer 14 November 1988]:* I regret that the information is not available.

OVERSEAS DEVELOPMENT ADMINISTRATION

Non-governmental Organisations

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the non-governmental organisations associated with overseas development which have received financial support from his Department in each of the last three years; and the sum received by each organisation in each of those years.

Mr. Chris Patten: The following non-governmental organisations, defined as British registered charities, have received financial support from the aid programme over the last three financial years:

Agency	*1985-86* £	*1986-87* £	*1987-88* £
Action around Bethlehem Children with Disability	—	—	27,550
Advisory Committee on Pollution of the Sea	—	—	5,000
Afghan Aid	—	—	552,000
Action Aid	299,157	586,836	776,218
Aga Khan Foundation	218,707	185,502	121,798
Appropriate Health and Rural Technology Group	9,639	39,669	75,738
African Medical and Research on Foundation	235,000	195,360	—
Amazon Trust	—	16,391	—
Associated Country Women of the World	—	6,362	—
Aid for India	—	—	16,672
Boys Brigade	—	24,430	10,966
British Executive Service Overseas	245,500	290,020	306,000
British Red Cross Society	772,854	482,761	2,710,697
British Refugee Council	6,000	—	—
British Volunteer Programme	18,164	22,920	—
CAFOD	785,043	908,542	2,020,947
CARE (UK)	160,000	1,846,864	2,983,469
Catholic Institute for International Relations	627,500	706,430	804,763
Cerebal Palsy Overseas	—	—	28,500
Christian Aid	2,638,442	1,434,682	2,545,998
Christians Abroad	7,448	9,683	16,000
Christians Outreach	34,300	30,000	30,000
Commonwealth Human Ecology Council	—	—	7,666
Royal Commonwealth Society for the Blind	40,767	51,459	—
Commonwealth Society for the Deaf	13,002	7,272	—
Commonwealth Trade Union Council	—	10,343	32,332
Concern	—	79,560	250,000
Co-operation for Development	—	125,000	364,300

Agency	1985-86 £	1986-87 £	1987-88 £
Council for Education and World Citizenship	3,800	4,000	4,000
Centre World Development Education	100,000	100,000	100,000
Commonwealth Scholarship Community	258,514	—	—
Duke of Edinburgh's Award	—	14,900	64,233
Earthfire-Bio-Resources	—	80,500	—
Euro Action Acord	1,266,736	710,188	863,000
Feed the Minds	16,122	7,491	5,500
Friends of Urambo and Mwanhala	—	8,190	8,077
Hand in Hand	—	—	15,579
Health Unlimited	—	—	12,518
Help the Aged	190,721	112,038	20,714
Institute of Cultural Affairs	—	40,832	5,699
Institute Development Studies	1,103,000	1,350,638	—
Interlink	3,184	186	—
Intermediate Technology Development Group	92,895	1,207,850	1,492,000
International Extension College	90,000	133,978	77,800
International Medical Relief	—	24,493	—
International Voluntary Service	452,208	500,250	657,486
International Year Shelter for the Homeless Trust	—	48,150	122,603
International Union for Conservation of Nature and Natural Resources	—	—	15,000
International Institution for Environment and Development	—	—	60,000
Jaichatra Project	—	585	9,000
Leonard Cheshire Foundation	—	—	37,000
Leprosy Mission	15,412	37,448	21,377
Medical Aid for Palestinians	3,000	6,000	—
Mission Aviation Fellowship	—	—	15,049
National Children's Homes	17,097	20,059	45,436
Order of St. John	—	—	137,000
Ockenden Venture	95,950	126,670	191,247
Overseas Development Institution	354,000	486,770	494,957
OXFAM	6,642,014	3,951,154	5,741,378
Panos Institute	—	—	34,644
Plan International	—	14,934	119,350
Population Concern	9,845	15,249	56,708
Marie Stopes International (used to be Population Services)	59,472	78,647	99,739
Peace and Community Endeavour	—	13,500	—
Plunkett Foundation	—	—	9,000
Quaker Peace and Service	6,000	52,300	72,863
Reed Charity	—	—	13,557
Ranfurly Library Service	15,000	15,000	15,000
Richmond Fellowship	—	—	86,975
Royal Institute of Public Administration	—	—	1,000
RURCON	17,389	25,356	—
Ryder-Cheshire Mission	44,000	25,929	23,679
Royal Geographical Society	—	—	19,006
Royal Marsden Hospital	—	—	886,000
Royal Society	—	—	108,000
St. John Ambulance	—	60,324	1,087
Salvation Army	5,710	25,000	—
Save the Children Fund	8,633,776	2,553,526	5,832,613
Scottish Catholic International Aid Fund	8,731	24,569	79,318
SOS Sahel International	53,223	40,547	46,628
Special Projects in Christian Missionary Areas	41,246	50,000	—
Sport Aid	—	—	45,000
Scottish Education and Action for Development	6,000	6,000	6,000

Agency	1985-86 £	1986-87 £	1987-88 £
Sandy Gall Appeal	—	—	49,000
Tanzania Development Trust	—	—	1,785
Tear Fund	22,246	107,389	350,729
United Nations Association International Service	339,450	360,000	400,000
Uganda Soc Dis Children	—	—	127,644
University Education Fund for Palestinian Refugees	5,500	—	—
Unipal	—	—	13,000
VSO	5,613,540	6,149,200	7,146,809
War on Want	470,000	156,584	100,000
Water Aid	102,155	132,272	253,625
WUS	445,829	764,493	811,195
Work Start Overseas	—	—	41,361
World Vision	6,772	399,446	107,150
World Wildlife Fund	—	—	184,000
Women's Corona Society	28,000	36,291	32,000
YMCA	—	5,846	—
Y-Care International	22,222	93,899	89,917
You and Me	—	—	20,000
YWCA	—	—	2,700
Zimbabwe Trust	50,406	30,036	—

TRADE AND INDUSTRY

Manufactured Goods

Mr. Denzil Davies: To ask the Chancellor of the Duchy of Lancaster what has been the total percentage increase from 1981 to 1988 in the volume of United Kingdom exports and imports of manufactured goods, respectively.

Mr. Alan Clark: Between the first nine months of 1981 and the same period in 1988 the volume of United Kingdom exports of manufactured goods on a seasonally adjusted balance of payments basis increased by 36 per cent. The corresponding increase in the volume of imports was 93 per cent.

Scottish and Newcastle Breweries (Bid)

Mr. Marshall: To ask the Chancellor of the Duchy of Lancaster whether the investigation by the Monopolies and Mergers Commission into the bid for Scottish and Newcastle by Elders IXL will also cover the shareholding by Elders in Scottish and Newcastle.

Mr. Atkins: When the reference was made, Elders had some 13·7 per cent. of Scottish and Newcastle's share capital. In the course of its investigation the MMC is obliged to consider any subsequent acquisitions by Elders of Scottish and Newcastle shares.

European Community

Mr. Teddy Taylor: To ask the Chancellor of the Duchy of Lancaster (1) what was the United Kingdom's deficit with the European Economic Community in 1972 and in the most recent year for which figures are available;

(2) what was the percentage of United Kingdom exports which went to the 11 present members of the European Economic Community in 1973; what is the current percentage; and if he will give details of the amount of both figures which represented goods and services.

Mr. Alan Clark: I shall write to my hon. Friend as soon as possible and place a copy in the Library.

British Coal

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster what is the number of households to which promotional literature about the sale of British Steel has been sent; and what has been the cost.

Mr. Atkins: I shall write to the hon. Member as soon as possible and place a copy of my reply in the Library.

Manufacturing Industry

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster (1) what is his estimate of fixed investment by manufacturing industry by size of establishment for establishments with *(a)* over 2,000 employees, *(b)* 500-2,000 employees, *(c)* 100-500 employees and *(d)* under 100 employees for the first and second quarters of 1988; and what is the percentage increase over the equivalent period for 1987 in real terms;

(2) what was the fixed investment by manufacturing industry for the first and second quarters of 1988 for each of the G7 countries; and what was the percentage increase over the equivalent period for 1987 in real terms.

Mr. Atkins: I shall write to the hon. Member as soon as possible and place a copy in the Library.

SCOTLAND

Students

Ms. Short: To ask the Secretary of State for Scotland if he will provide an estimate of the number of students on

courses specially designated for the adult unemployed in further education colleges and adult education centres in Scotland.

Mr. Michael Forsyth: The information requested is not available centrally.

Legal Aid

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what costs have been incurred in each of the last 10 years in respect of the printing and publishing of *(a)* civil legal aid forms and *(b)* criminal legal aid forms, encompassing forms used for the purposes of making applications for legal aid, and also those forms used by solicitors for the purposes of submitting accounts.

Lord James Douglas-Hamilton: The information requested is not available.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* for each of the last 10 years how many persons have received *(a)* advice and assistance under the civil advice and assistance scheme, *(b)* advice and assistance under the criminal legal aid scheme, *(c)* legal aid under the section 1 legal aid scheme, *(d)* legal aid under the criminal legal aid scheme, *(e)* legal aid under the ABWOR scheme, and *(f)* legal aid under any other legal aid schemes; and if he will state the total costs of legal aid in each of the last 10 years, with the totals shown broken down as between the foregoing categories.

Lord James Douglas-Hamilton: Advice and assistance on criminal matters is and has been given under the legal advice and assistance scheme rather than the criminal legal aid scheme. Assistance by way of representation did not commence until 1987-88. The information is as follows:

Table 1
Persons assisted—accounts paid

Year	[1](a)	*(b)*	*(c)*	*(d)*	*(e)*	*(f)*
1978-79	28,490	5,839	12,701	90,714	—	[2]704
1979-80	35,923	7,769	13,260	83,824	—	[2]796
1980-81	39,632	9,456	16,914	85,135	—	[2]855
1981-82	44,519	13,902	18,656	90,937	—	897
1982-83	44,481	15,655	20,420	99,102	—	871
1983-84	64,906	21,234	21,859	90,212	—	880
1984-85	52,266	18,954	19,549	96,004	—	956
1985-86	61,233	22,205	18,657	105,667	—	990
1986-87	76,120	28,125	23,009	105,038	—	1,157
1987-88	79,527	34,392	21,902	91,759	7,742	1,101

[1] Does not include cases when the amount of the contribution was sufficient to meet the solicitors account or the account was met out of money recovered for the client or was included in the account for subsequent civil proceedings.
[2] Certificates issued.

Table 2
Cost of Legal Aid

Year	*(a)* £'000	*(b)* £'000	*(c)* £'000	*(d)* £'000	*(e)* £'000	*(f)* £'000	*Total* £'000
1978-79	778	117	1,970	4,303	—	53	7,221
1979-80	1,165	175	2,461	5,741	—	81	9,623
1980-81	1,460	228	4,749	8,549	—	101	15,087
1981-82	2,022	456	6,975	11,650	—	142	21,245
1982-83	2,194	512	9,849	16,834	—	210	29,599
1983-84	3,184	661	10,877	18,015	—	227	32,964
1984-85	2,601	606	8,853	19,623	—	246	31,929
1985-86	3,144	723	10,293	24,001	—	271	38,432
1986-87	4,268	985	11,207	27,311	—	369	44,140
1987-88	4,494	911	11,197	25,766	539	319	43,226

Mountain Rescue Teams

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* for each mountain rescue team in Scotland the current levels of life assurance cover pertaining where fatality of a member or associate member occurs on a rescue or training exercise; and if he will make a statement on what proposals there are to ensure that a uniform specified sum, reviewed annually to take account of inflation, will be applicable to all such fatalities.

Lord James Douglas-Hamilton: It is for each police authority to determine the level of insurance cover to be provided for civilian members of mountain rescue teams in its area. However, to help achieve a measure of uniformity, the Association of Chief Police Officers (Scotland) carries out an annual review of levels of cover and makes recommendations on any increases considered desirable in the light of inflation. The current recommended level of cover in consequence of a fatality is £65,375 and I understand that this figure has been adopted in all Scottish police force areas except that of the Northern constabulary where the sum is £100,000.

Criminal Injuries Compensation Board

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he has any plans to review the present policy of the Criminal Injuries Compensation Board following the decision in an English case before the Court of Appeal (Regina v Ex Parte Berry) that copies of precognitions obtained from witnesses be made available to the applicant only on the day of the hearing itself.

Lord James Douglas-Hamilton: No. This practice reflects the obligation upon the board to protect witnesses'

precognitions from improper use; the board's procedures ensure that applicants are given adequate time, by way of an adjournment if necessary, to study precognitions before their case is heard.

Legal Aid

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what record is kept of the time period which elapses between the date of arrival at the offices of the Scottish Legal Aid Board of applications submitted by solicitors for section 1 legal aid applications, and the date of acknowledgement of such applications by the Scottish Legal Aid Board.

Lord James Douglas-Hamilton: No such record is kept. Generally applications are acknowledged by the board within two days of receipt.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland which forms used in the processes of application and submission of accounts in all legal aid schemes both civil and criminal by solicitors and the Scottish Legal Aid Board have required to be replaced following the establishment of the Scottish Legal Aid Board; what additional costs have been incurred with regard to the framing and printing of the new forms; and what costs have been incurred as a result of the amendment of forms following the establishment of SLAB.

Lord James Douglas-Hamilton: All the forms used under the previous legal aid arrangements have now been replaced to provide for references to the Legal Aid (Scotland) Act 1986, and to the Scottish Legal Aid Board. The additional costs are not separately recorded.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland whether he will ask the Scottish Legal Aid Board to review its current practice of refusing to divulge its fax number to solicitors.

Lord James Douglas-Hamilton: No. The Scottish Legal Aid Board is an independent statutory body responsible for the day-to-day administration of legal aid in Scotland and such an operational matter is for its decision.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will discuss with the Scottish Legal Aid Board the possible review of the requirement in section 1 legal aid applications in cases where the applicant has, prior to provision of corroboration, already obtained a court decree since court proceedings have been raised as a matter of special urgency.

Lord James Douglas-Hamilton: Yes.

EDUCATION AND SCIENCE

University of Wales

Mr. Wigley: To ask the Secretary of State for Education and Science how many undergraduate courses in the arts and science subjects were taught wholly or partly through the medium of Welsh in the University of Wales; and if he will list the subjects, with the colleges at which they were taught and the number of students registered under each subject in each college for the following years *(a)* 1970-71, *(b)* 1975-76 and *(c)* 1980-81.

Mr. Jackson: The following information has been provided by the University of Wales registry. The following figures include only those who registered to study in departments where the full range of teaching provision (lectures, tutorials and seminars) was formally available through the medium of Welsh. Figures are not available on the number of students for whom informal arrangements were made in other subjects, for example tutorials conducted in Welsh in science subjects.

It is not possible to indentify the number of students in each department who were pursuing courses through the medium of Welsh in 1970-71 (other than those in the departments of Welsh), because the available figures do not distinguish between English-medium and Welsh-medium students.

University College of North Wales, Bangor
1970-71

Courses through the medium of Welsh were available in the following departments:
Biblical studies, history, music, social theory and institutions, Welsh, Welsh history.

1975-76

Courses through the medium of Welsh were available in the following departments:
Biblical studies, drama, history, music, social theory and institutions, Welsh, Welsh history.

The total number of individual students registered to take some or all of their courses through the medium of Welsh was 145. The numbers enrolled on undergraduate courses in these departments were as follows (NB some students were enrolled on courses in more than one department):

	Number
Biblical studies	36
Drama	12
History	12
Music	9
Social theory and institutions	35
Welsh	115
Welsh history	28

1980-81

Courses through the medium of Welsh were available in the following departments:
Biblical studies, Drama, Education, History, Music, Social theory and institutions, theology, Welsh, Welsh history.

The total number of individual students registered to take some all of their courses through the medium of Welsh was 276. The numbers enrolled on undergraduate courses in these departments were as follows (NB some students were enrolled on courses in more than one department):

	Number
Biblical studies	28
Drama	14
Education	15
History	15
Music	17
Social theory and institutions	36
Theology	13
Welsh	123
Welsh history	6

University College of Wales, Aberystwyth

1970-71

Courses through the medium of Welsh were available in the following departments: education, philosophy, French, Welsh, Welsh history.

Figures are available only for the department of Welsh, where the numbers enrolled were:

	Number
Welsh	74
Irish	5

1975-76

Courses through the medium of Welsh were available in the following departments: education, philosophy, religious studies, geography, drama, French, history, Welsh, Welsh history.

The numbers enrolled on undergraduate courses in these departments were as follows (NB some students were enrolled on courses in more than one department):

	Number
Education	28
Philosophy	11
Religious studies	7
Geography	15
Drama	5
French	8
History	8
Welsh–	
Welsh	151
Irish	23
Breton	8
Welsh history	36

1980-81

Courses through the medium of Welsh were available in the following departments: education, philosophy, religious studies, geography, drama, French, history, Welsh, Welsh history, music.

The numbers enrolled on undergraduate courses in these departments were as follows (NB some students were enrolled on courses in more than one department):

	Number
Education	29
Philosophy	11
Religious studies	15
Geography	17
Drama	51
French	8
History	26
Welsh–	
Welsh	150
Irish	10
Breton	7
Welsh history	30
Music	8

Welsh-medium undergraduate courses at colleges other than Aberystwyth and Bangor were concentrated in/associated with the departments of Welsh at those colleges.

The figures for the three departments of Welsh are:

University College, Cardiff

	Number
1970-71	28
1975-76	41
1980-81	46

University College of Swansea

	Number
1970-71	33
1975-76	32
1980-81	47

Saint David's University College, Lampeter

	Number
1970-71	2
1975-76	49
1980-81	58

Personnel Statistics

Mr. Ralph Howell: To ask the Secretary of State for Education and Science what was the total number of persons employed in education in England for each of the years 1960, 1970, 1979, 1984 and 1988; and if he will break these figures down into *(a)* lecturers and teachers and *(b)* non-teaching staff.

Mrs. Rumbold: I shall write to my hon. Friend.

Expenditure

Mr. Andrew F. Bennett: To ask the Secretary of State for Education and Science what *(a)* amount and *(b)* proportion of total public spending on education is accounted for by local authorities for each year since 1967-68 projected to 1990-91 in 1987-88 prices.

Mrs. Rumbold: Data in the form requested are readily available only from the 1979-80 financial year and are listed in the table. All figures from 1987-88 are provisional estimates. The figures quoted cover education spending for which my right hon. Friend has responsibility.

Financial year	*Local authority education spending*	*Total education spending*[1]	*Local authority education spending as a percentage of total education spending*
1979-80	13,270	15,114	87·8
1980-81	13,629	15,575	87·5
1981-82	13,531	15,370	88·0
1982-83	13,451	15,451	87·1
1983-84	13,564	15,560	87·2
1984-85	13,406	15,370	87·2
1985-86	13,114	15,055	87·1
1986-87	13,930	15,879	87·7
1987-88[1]	14,467	16,512	87·6
1988-89[1]	14,148	16,256	87·0
1989-90[1]	13,938	16,054	86·8
1990-91[1]	13,865	15,970	86·8

[1] These figures do not include expenditure on Science.

Teacher Training

Ms. Armstrong: To ask the Secretary of State for Education and Science what is his policy towards the recent recommendations from Her Majesty's inspectorate for more concentration on practical aspects of teacher training; and if he will make a statement.

Mrs. Rumbold: I assume that the hon. Member is referring to the HMI report, "The New Teacher in School." As I explained in my reply to the hon. Member on 1 November at column *604*, the Government have taken a number of steps to improve the quality and

content of initial teacher training since the teachers surveyed in that report were trained. I also said that we would be reviewing the course approval system. Although training has to meet more stringent criteria now, we are not complacent. We intend to raise the quality of teacher training still further and the review will be aimed at putting that intention into practice.

Students (Loans)

Mr. Andrew F. Bennett: To ask the Secretary of State for Education and Science what estimate he has as to the number of students on part-time and non-mandatory courses in further or higher education who are in receipt of *(a)* housing benefit, *(b)* income support and *(c)* unemployment benefit; and to which of these benefits such students will lose entitlement under the provisions of the White Paper on top-up loans for students (Cm. 520).

Mr. Jackson: Information on students' benefit claims is not collated in this form. The Department's estimates derive from a survey undertaken in 1986-87, to which a correction is applied in respect of the adjustments to the benefit regime in April. The estimates are projected forward to 1990-91, when the policies of the White Paper "Top-up Loans for Students" are to come into effect.

The Department estimates that in 1990-91 there will be some 145,000 full-time students on courses of further or higher education outside the scope of the mandatory awards regime. Of those, some 15,000 would be in receipt of income support or unemployment benefit if the White Paper policies did not take effect, and some 45,000 would be in receipt of housing benefit. Students who have no dependants and are not disabled will lose entitlement to all three benefits: full-time students in higher education will, however, be eligible for the proposed loan. However, students who are single parents or disabled, and students' families will not lose benefit. The Department estimates that some 2,000 of the students in receipt of income support or unemployment benefit will thus continue to receive it, and some 14,000 of those in receipt of housing benefit, either individually or by virtue of their dependants.

The benefit entitlement of part-time students is not affected by the policies set out in the White Paper.

Adult Education

Ms. Short: To ask the Secretary of State for Education and Science if he will provide an estimate of the number of students on courses specially designated for the adult unemployed in further education colleges and adult education centres in England and Wales.

Mr. Jackson: The information requested is not available centrally.

21-hour Courses

Ms. Short: To ask the Secretary of State for Education and Science what is his best available estimate of the cost of 21-hour courses to local education authorities in England and Wales.

Mr. Jackson: The information requested is not available centrally.

Occult Teaching

Mr. Harry Greenway: To ask the Secretary of State for Education and Science if he will conduct an inquiry into the teaching of the occult in schools; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend has no evidence which would justify such an inquiry.

Schools (Violence)

Mr. Harry Greenway: To ask the Secretary of State for Education and Science what measures he is taking to overcome violence in schools; and if he will make a statement.

Mr. Butcher: Responsibility for taking measures to minimise the risk of violence occurring in schools rests with the head teacher and governing body, as part of their responsibility for maintaining discipline. My right hon. Friend has set up a committee of inquiry to recommend action which can be taken by all concerned to promote good discipline in schools. He expects to receive the committee's report shortly.

Education Reform

Mr. Cartwright: To ask the Secretary of State for Education and Science whether he has any plans for testing of pupils at 16 years in national curriculum subjects which they will not be taking in GCSE.

Mrs. Rumbold: The Education Reform Act requires that arrangements be made for assessing pupils at or near the end of each key stage of the national curriculum. The Government intend that the GCSE and equivalent examinations should form the means of assessing the level of attainment in the national curriculum foundation subjects of all pupils who are prepared for and take such examinations at the end of their fourth key stage. My right hon. Friend will be considering in due course what supplementary assessment arrangements may be necessary to ensure that all pupils to whom assessment arrangements are intended to apply without modification are assessed against attainment targets in all the foundation subjects.

Full-time Education

Mr. Fatchett: To ask the Secretary of State for Education and Science whether he will publish the latest available figures for staying on in full-time education at the age of 16 years.

Mr. Jackson: Provisional figures on the percentage of 16-year-olds in full-time education at maintained schools and further education establishments in England for the academic year 1987-88 were as follows:

	Per cent.
Maintained schools	27
Further education establishments	20
Total England	47

School Places

Mr. Anthony Coombs: To ask the Secretary of State for Education and Science how many schools in England and

Wales have spare capacity in relation to standard admission numbers of more than 20 per cent. of total places available.

Mr. Butcher: This information is not collected centrally.

Teacher Training

Mr. Anthony Coombs: To ask the Secretary of State for Education and Science (1) what proportion of teacher training college syllabuses contain the study of economic awareness as a mandatory requirement;

(2) what steps the Government are taking to monitor the level of practical training in classroom management offered by teacher training colleges.

Mrs. Rumbold: The Government's criteria for initial teacher training courses set out in the Department's circular 3/84 include a requirement that all courses should provide students with the skills of classroom management. They also require that students have an understanding of society's economic and other foundations. The Council for the Accreditation of Teacher Education was set up by the Government to review all courses to ensure that they meet the criteria. Her Majesty's inspectorate has also inspected all initial teacher training institutions and will of course continue to carry out periodic inspections of teacher training provision.

Engineering Qualifications

Mr. Anthony Coombs: To ask the Secretary of State for Education and Science how many people achieved a recognised engineering qualification at degree or post-degree level in Britain in 1987; and what the comparable figures were for France and West Germany.

Mr. Jackson: The latest readily available information is for 1983 and is given in the table together with qualification rates. Higher education below degree level is included because the assignment of courses between the degree and sub-degree categories tends to vary from country to country.

Home students successfully completing higher education programmes in engineering, trade, craft and industry in 1983

	[1] France	[1,2] West Germany	[3] United Kingdom
Qualifiers/thousands			
Below degree level	17·3	14·0	20·5
First degree	11·5	17·7	14·4
First degree and below	28·8	31·7	35·0
Post graduate	2·4	0·8	2·3
First degree and post-graduate	13·9	18·6	16·8
Total higher education	31·2	32·5	37·3
Qualification rates[4]/ percentages			
Below degree level	2·0	1·5	2·3
First degree	1·4	1·8	1·6
First degree and below	3·4	3·3	3·9
Post graduate	0·3	0·1	0·3
First degree and post-graduate	1·6	1·9	1·9
Total higher education	3·7	3·4	4·2

[1] May include a small number of students from abroad completing programmes in trade, craft and industry.

[2] Some below degree level data estimated.

[3] Includes estimates for professional qualifications at public sector institutions. Excludes private sector institutions.

[4] To aid comparison, the qualification rate used is the percentage of successful completions relative to a derived single year group. The latter is calculated by taking the total populations for the ages providing at least 70 per cent. of the qualifiers and dividing by the number of ages involved. For the United Kingdom this is the population of ages 21 to 24 divided by 4. OECD recommend this procedure.

NERC (Report)

Mr. Latham: To ask the Secretary of State for Education and Science whether he has received the annual report of the Natural Environment Research Council for 1987-88; and if he will make a statement.

Mr. Kenneth Baker: The annual report of the Natural Environment Research Council for 1987-88 has been submitted to me under the requirements of the Science and Technology Act 1965, and a copy is being laid before the House today.

I was most interested to study the report and, in an eventful year for the council, I was particularly encouraged to note:

(i) the latest advances in knowledge by the British Antarctic Survey concerning the pattern of continental break-up in part of the Antarctic peninsula, formerly a critical margin of Gondwanaland; and of the effects elsewhere of acid deposition in polar ice—the so called "acid flush";

(ii) the launch of the Polar Anglo-American conjugate experiment involving collaborative research with the John Hopkins university in the USA in the processes at work in the earth's space environment from both polar regions simultaneously;

(iii) further research on the increased severity of the ozone hole in 1987; and progress with commissioned studies into the influence of the greenhouse effect of changes in temperature, rainfall, carbon dioxide and ultra-violet radiation on the Earth's eco-systems;

(iv) pioneering work by the British Institutions reflection profiling syndicate on deep crustal studies —particularly including the first recognition, anywhere in the world, of spectacular mantle events; the identification of ancient plate boundaries; and increased knowledge about the deep structure of ancient mountain belts and the evolution of sedimentary basins. I understand that data secured in this way now make the British Isles the world's best known lithosphere (crust and mantle) with structures imaged throughout the 30 km thickness of the crust and a further 50 km down into the upper mantle;

(v) the development by a team at the Institute for Marine Environmental Research of a new method for assessing the relative pollution of communities of bottom-living marine invertebrates.

I congratulate the council on these and other achievements and look forward to further exciting scientific achievement in 1989.

English Language

Dame Jill Knight: To ask the Secretary of State for Education and Science when he expects his proposals for attainment targets and programmes of study in English for pupils aged five to 11 to be published for consultation.

Mr. Kenneth Baker: My right hon. Friend the Secretary of State for Wales and I have now formulated our proposals for attainment targets and programmes of study for English for pupils aged five to 11, in the light of the first report from the national curriculum English working group. We are very grateful to the working group for its prompt and helpful report.

I have today referred our proposals to the National Curriculum Council to start the consultations required by the Education Reform Act in England. My right hon. Friend will be initiating consultations as required by the Act in Wales. I have asked the council to report to me on the outcome of the consultations, with advice and recommendations, by 24 February 1989. I have placed a copy of our proposals and of the working group's report, with my letter to the council, in the Library.

School Meals

Mr. Madden: To ask the Secretary of State for Education and Science what advice he has received about the benefits to children at school from taking school meals; and what research is being undertaken or is available concerning the medical benefits of school meals.

Mr. Butcher: From time to time my right hon. Friend receives representations about the nutritional and other benefits to children from taking school meals, although these matters are mainly for local authorities to consider. He notes that many authorities have introduced changes to their school meals service in response to medical advice, but does not have a complete list of all current and recent research.

Mr. Madden: To ask the Secretary of State for Education and Science what representations he has received about increase in school meal charges in Bradford schools.

Mr. Butcher: None.

Secretary of State (Overseas Visits)

Mr. Jack Straw: To ask the Secretary of State for Education and Science if he will list in the *Official Report* all overseas trips made by him since he became Secretary of State, showing in respect of each trip, their dates, location and purpose, the names of every school visited, and the total cost to the public purse of each trip, including the costs of officials.

Mr. Kenneth Baker *[holding answer 19 October 1988]:* Details of my overseas trips are attached.

Date	*Location*	*Purpose*	*Schools visited*	*Cost £*
10-15 February 1987	Hong Kong	To open British Education Fair	None: visits were to higher education institutions	8,400
20-25 September 1987	United States of America	To obtain information about how the United States of America deals with the problems of Inner City Schooling	*In New York/New Jersey:* Harlem Vocational Technical Brooklyn College Bronx Garrison Elementary Trenton *In Washington:* Hine Junior Magnet *In Chicago:* La Salle Language School West Side Preparatory (also to Chicago University and Business School) *In Dallas:* Charles Rice Elementary	18,500
24-25 May 1988	Belgium	Meeting of EC Education Ministers	None	300
31 July-2 August 1988	Egypt	Promotion of Educational Exports and announcement of increases in FCO Scholarship awards	None: Visits were to universities and research institutes	1,600
2-9 October 1988	USSR	To promote contacts with USSR in the field of school and higher education and to extend scientific collaboration	Moscow School No. 31 Maisky Rural School Akademgorodok Maths and Physics School Leningrad School No. 169 (visits also to higher education institutions and science academics)	4,800

EMPLOYMENT

Women Workers

Mrs. Dunwoody: To ask the Secretary of State for Employment whether he will initiate a study of schemes that will utilise the skills of the 20 per cent. or so of returning women workers who must accept jobs at a reduced skill level if they wish to work less than full time.

Mr. Nicholls: No. Considerable research has already been carried out, both in this country and abroad, into the growth of part-time work and into initiatives such as job sharing and child care facilities which will increase the availability of employment for women workers. I see no need to add to that body of research at this time.

Through employment training, the Government are making available new and better opportunities for those returning to the labour market to receive good quality training, including a facility for part-time training in certain circumstances.

Departmental Staff

Mr. Sean Hughes: To ask the Secretary of State for Employment what are the latest figures for the Training Commission in the London pay area of the number of vacancies by grade and the proportion this is of the grade complement in London.

Mr. Patrick Nicholls: Staff complements are notional and numbers are controlled by cash limits. The latest figures for employment Department: Training Agency are:

Grade	*Number of vacancies*	*Proportion of vacancies to notional complement Per cent.*
7	1	5·0
Senior Executive Officer	2	4·7
Higher Executive Officer	5	3·7
Executive Officer	20·5	7·7
Administrative Officer	12	4·8
Administrative Assistant	7	10·6
Typist	2	8·3

Grade	*Number of vacancies*	*Proportion of vacancies to notional complement Per cent.*
Messenger	1	10·0
Senior Personal Secretary	1	25·0
Personal Secretary	2	25·0
Instructional Officer 'A'	1	8·3
Higher Instructional Officer	1	2·4
Instructional Officer I	7	6·6
Industrial Staff	1	2·6

Mr. Sean Hughes: To ask the Secretary of State for Employment what are the latest available figures for his Department in the London pay area of the number of vacancies by grade and the proportion this is of the grade complement in London.

Mr. Lee: The current totals of vacancies by grade for the constituent parts of the employment Department group in the London pay area, are shown in the table.

Grades	*ACAS*		*HSE*		*Employment[1] Service*		*Employment Department Headquarters*		*Employment Department ADP/Computer Staff*	
	Number of vacancies	*Percentage of grade complement*	*Number of vacancies*	*Percentage of grade complement*	*Number of vacancies*	*Percentage of grade complement*	*Number of vacancies*	*Percentage of grade complement*	*Number of vacancies*	*Percentage of grade complement*
Administration Assistant	1	6·3	4·5	12·2	48·5	10·9	9	12·9	—	—
Administration Officer	—	—	2·0	2·7	206·5	6·7	6	2·5	—	—
Executive Officer	1	4·4	1·0	1·8	177·6	15·3	—	—	5	2·0
Higher Executive Officer	2	2·5	4·0	7·3	8·0	4·6	—	—	13	5·5
Senior Executive Officer	3	6·4	2·0	10·0	3·5	20·6	—	—	13	12·1
Grade 7	—	—	—	—	—	—	—	—	1	0·8
Reprographics Officer II	—	—	—	—	—	—	2	22·2	—	—
Graphics Officer	—	—	—	—	—	—	1	100·0	—	—
Typist	—	—	4·0	11·8	—	—	—	—	—	—
Support Grade Band 1	—	—	1·0	11·1	—	—	—	—	—	—

[1] Comprises staff in the Southern, Eastern and Western Divisions of London and South East Region.

Mr. Sean Hughes: To ask the Secretary of State for Employment if he will provide the latest available figures for his Department for *(a)* numbers of staff in receipt of local pay additions, by grade, *(b)* location of those offices awarding local pay additions and *(c)* annual cost.

Mr. Lee: The number of staff, by grade, receiving local pay additions in the Department of Employment group is:

	Number
Executive officers	1,169
Administrative Officers	2,536
Administrative Assistants	362
Typists	174
Typing Managers	19
Personal Secretaries	99
Senior Personal Secretaries	34
Total	4,393

Local pay additions are currently in payment at 238 offices all of which are in London, that is, within the former GLC borough boundaries.

The estimated annual cost of awarding local pay additions (based on September 1988 staffing figures) is £2·26 million.

Mr. Sean Hughes: To ask the Secretary of State for Employment if he will provide the latest available figures for the Training Commission for *(a)* numbers of staff in receipt of local pay additions, by grade, *(b)* location of those offices awarding local pay additions and *(c)* annual cost.

Mr. Lee: I will write to the hon. Member and place a copy of my letter in the Library.

Community Programme

Ms. Short: To ask the Secretary of State for Employment if he will publish the most recently available tables to show the total number of community programme projects and places by type of project and type of sponsor.

Mr. Nicholls: I will write to the hon. Member as soon as possible.

Employment Scheme Places

Ms. Short: To ask the Secretary of State for Employment how many filled places on each of the following programmes for each standard Great Britain region, including Greater London, there were at the end of May, June July and August: community programme, enterprise allowance scheme, youth training scheme, young workers scheme, job release scheme, jobshare scheme, new job training scheme and jobstart allowance.

Mr. Nicholls: The information is provided as a series of tables:

Community Programme	Table 1
Enterprise Allowance Scheme	Table 2
Youth Training Scheme	Table 3
New Workers Scheme	Table 4
Job Release Scheme	Table 5
Jobshare Scheme	Table 6
New Job Training Scheme	Table 7
Jobstart Allowance	Table 8

Regional breakdowns have been provided in every case although it is not possible to provide regional breakdowns that are consistent across all the programmes.

Community programme

	May	June	July	August
South-East	9,624	9,202	8,782	8,157
London	14,274	14,048	13,575	12,717
South-West	13,783	13,148	12,649	11,798
West Midlands	25,038	24,169	23,879	23,077
East Midlands and Eastern	16,340	15,665	14,822	14,640
Yorkshire and Humberside	25,140	24,235	23,654	22,966
North-West	35,453	34,466	33,493	32,710
Northern	28,055	27,559	27,360	27,636
Wales	19,688	19,679	19,208	18,490
Scotland	31,033	30,406	29,940	28,635
Great Britain	218,428	212,577	207,380	200,826
Great Britain including Charities Initiatives	219,262	213,365	208,129	201,547

Enterprise Allowance Scheme

	May	June	July	August
South-East and London	22,940	22,727	22,634	22,459
South-West	9,900	9,922	9,804	9,819
West Midlands	9,118	9,017	9,024	9,041
East Midlands	9,060	9,133	9,157	9,108
Yorkshire and Humberside	8,996	8,993	9,118	9,108
North-West	14,124	14,120	14,095	14,024
Northern	5,206	5,829	5,324	5,369
Wales	5,834	5,258	5,905	6,009
Scotland	8,595	8,515	8,448	8,398
Great Britain	93,782	93,514	93,510	93,328

Youth Training Scheme

	May	June	July	August
South-East	40,243	40,453	43,210	43,677
London	20,128	20,352	20,825	21,749
South-West	29,546	30,221	33,027	33,251
West Midlands	43,952	46,310	51,359	51,359
East Midlands and Eastern	44,808	47,530	51,312	51,934
Yorkshire and Humberside	42,360	46,339	49,918	50,673
North-West	56,012	60,867	65,184	66,748
Northern	26,996	29,829	31,905	32,550
Wales	22,535	23,339	24,382	24,734
Scotland	43,269	46,792	47,423	49,166
Great Britain	369,849	392,032	418,545	425,841

New workers scheme

	May	June	July	August
South-East and London	384	332	219	219
South-West	900	830	770	700
Midlands	2,743	2,584	2,464	2,200
Yorkshire and Humberside	1,514	1,385	1,353	1,150
North-West	3,031	2,767	2,692	2,545
Northern	1,238	1,138	1,110	1,050
Wales	1,458	1,358	1,255	1,131
Scotland	1,341	1,204	1,151	1,050
Great Britain	12,609	11,598	11,014	9,945

Job release scheme

	May	June	July	August
South-East and London	2,977	2,741	2,502	2,318
South-West	1,303	1,220	1,119	1,055
Midlands	3,277	3,041	2,757	2,544
Yorkshire and Humberside	2,496	2,347	2,182	2,046
North-West	2,600	2,431	2,233	2,064
Northern	638	596	547	494
Wales	559	533	497	471
Scotland	1,089	1,010	911	820
Great Britain	14,939	13,919	12,748	11,812

Jobshare Scheme

	May	June	July	August
South-East and London	16	14	14	12
South-West	26	23	22	20
Midlands	111	103	79	73
Yorkshire and Humberside and Northern	207	187	186	168
North-west	188	153	119	111
Wales	85	77	75	69
Scotland	28	28	29	25
Great Britain	661	585	524	478

New Job Training Scheme

	May	June	July	August
South-East	3,088	3,105	2,774	2,726
London	3,066	2,842	2,759	3,065
South-West	2,421	2,416	2,528	2,541
West Midlands	3,265	3,300	3,078	3,227
East Midlands and Eastern	2,945	2,736	3,303	3,824
Yorkshire and Humberside	4,429	4,882	4,565	4,995
North-West	4,373	4,374	4,317	4,453
Northern	2,796	2,968	3,048	2,670
Wales	1,583	1,499	1,849	1,874
Scotland	2,999	2,774	3,438	2,514
Great Britain	30,965	30,896	31,659	31,889

Note:

The post May in-training figures for NJTS include an estimate of the number of trainees on employment training Lead Development Projects who would otherwise have been on NJTS.

The estimated figures are as follows: June—2,100, July—3,041, August—2,865.

Jobstart allowance

	May	June	July	August
South-East and London	153	148	153	123
South-West	88	78	77	78
West Midlands	305	288	288	269
East Midlands and Eastern	216	214	224	194
Yorkshire and Humberside	324	316	297	256
North-West	537	539	538	481
Northern	248	242	247	230
Wales	204	205	201	187
Scotland	355	341	339	326
Great Britain	2,430	2,371	2,364	2,144

JTS Statistics

Ms. Short: To ask the Secretary of State for Employment (1) for each of the Manpower Services Commission's areas within Greater London, Merseyside, Greater Manchester, the Birmingham and Solihull

Manpower Services Commission area and for Great Britain as a whole, what are the most recent monthly statistics for new JTS showing *(a)* entrants in the latest available period, and the number of cumulative entrants since the scheme started, *(b)* a breakdown of entrants which shows how many were male and female, the length of time they had been out of work, their ethnic backgrounds and whether or not they had any disabilities, *(c)* the number of trainees in the latest available period who entered work placements and the cumulative total of how many are in work places at the latest available date, *(d)* trainees who left the scheme in the latest available period, and the cumulative number of leavers since the scheme started, *(e)* for all those trainees who have left the scheme how many found work, failed to attend, went on to another course of training or education, completed the course, left for sickness or went back into unemployment and *(f)* the total number of currently filled places;

(2) what are the monthly statistics between May 1988 and September 1988 showing *(a)* entrants in each monthly period, and the number of cumulative entrants since the scheme started, *(b)* a breakdown of entrants which shows how many were male and female, the length of time they had been out of work, their ethnic backgrounds and whether or not they had any disabilities, *(c)* the number of trainees in each monthly period who entered work placements and the cumulative total of how many are in work places at the latest available date, *(d)* trainees who left the scheme in each monthly period, and the cumulative number of leavers since the scheme started, *(e)* for all those trainees who have left the scheme how many found work, failed to attend, went on to another course of training or education, completed the course, left for sickness or went back into unemployment and *(f)* the total number of currently filled places;

Mr. Cope: I will write to the hon. Member.

Compact Schemes

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Employment how many compact schemes are currently funded by his Department.

Mr. Cope: Thirty compacts are currently receiving development funding to work up their compact proposals, prior to applying for full operational funding early next year.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Employment if he will list the local education authorities in England which participate in compact schemes.

Mr. Cope: The following local education authorities are participating in compact schemes which are supported by the Department of Employment:

Cleveland	Dudley
Leeds	Coventry
Humberside	Shropshire
Kirklees	Walsall
Sheffield	Wolverhampton
Doncaster	Birmingham
Liverpool	Leicestershire
Manchester	Derbyshire
Salford	Avon
Lancashire	Newham
Rochdale	Bolton

Inner London Education Authority (ILEA)

Unfair Dismissal

Mr. Grocott: To ask the Secretary of State for Employment (1) how many unfair dismissal claims were made in the United Kingdom during the year 1 April 1987 to 31 March 1988; and what proportion of these were successful;

(2) how many unfair dismissal claims were made in the west midlands region during the year 1 April 1987 to 31 March 1988; and what proportion of these were successful;

(3) how many unfair dismissal claims were made in the county of Shropshire during the year 1 April 1987 to 31 March 1988; and what proportion of these were successful.

Mr. Nicholls: I will write to the hon. Member as soon as possible.

Race Relations

Mr. Janner: To ask the Secretary of State for Employment to how many employers his Department's race relations employment advisory service has given specific advice and encouragement on the adoption of the recommendations of the Commission for Racial Equality's code of practice; and how the race relations employment advisory service encourages the greater use of the positive action provisions of the Race Relations Act.

Mr. Nicholls: Specific advice and encouragement on the adoption of the recommendations of the Commission for Racial Equality's code of practice forms an integral part of all my Department's race relations employment advisory service's contacts with employers. As I previously indicated in my reply to the hon. and learned Member on Tuesday 1 November, *Official Report*, column *611*, in the year ended 31 March 1988, advisers made 1,082 visits to employers. In the period from 1 April—30 September 1988 a total of 529 visits have been made. The service encourages the greater use of the positive action provisions of the Race Relations Act by discussing and promoting the provisions during all visits to employers, and by including a reference to positive action in all training seminars and encouraging employers to develop a positive action strategy as an integral part of their overall equal opportunities policy.

Mr. Janner: To ask the Secretary of State for Employment for how long the race relations employment advisory service's research project to investigate benefits which accrue from the introduction of ethnic monitoring systems will continue from 1 January 1989; and who will conduct this research project.

Mr. Nicholls: The project will be undertaken by the ethnic minority employment research group of the department of sociology at the University of Leicester and will take 12 months.

Nottingham

Mr. Allen: To ask the Secretary of State for Employment if he will meet representatives of Nottingham city council to discuss joint action to reduce unemployment and improve job training programmes.

Mr. Nicholls: My right hon. Friend the Secretary of State has no present plans to meet representatives of

Nottingham city council. However, we will continue to give priority to the sound economic policies that have encouraged growth and reduced unemployment in Nottingham and elsewhere. Employment training, the new programme for unemployed adults, was successfully launched on 5 September. It provides many worthwhile training opportunities for unemployed people in Nottingham to help them back into jobs.

Community Programme

Ms. Short: To ask the Secretary of State for Employment if he will provide *(a)* the gross cost of community programme for the last year, *(b)* the net costs of community programme for the last year and *(c)* a breakdown of how the net costs were calculated.

Mr. Nicholls: In 1987-88 the gross cost of the community programme was £1,110 million and the net cost of the programme was estimated to be £508 million. The net costs of the community programme are the gross costs of the programme less the estimated flowbacks in the form of net savings in benefit and net inflows from taxes.

Young People (Nottingham)

Mr. Allen: To ask the Secretary of State for Employment how many young people aged 16 and 17 years who left school in Nottingham in the current year have *(a)* accepted a YTS place *(b)* got a job and *(c)* not joined a YTS place or a job and receive no income.

Mr. Cope: Of the 16 and 17-year-olds who left school in Nottingham this year, it is estimated that 6,720 have accepted a YTS place and about 2,370 have got a job. Information on the number who have not gained a YTS place or a job and receive no income is not available. Child benefit is being paid to the parents of those young people who left school this summer and who have applied for a YTS place but have not yet been placed.

Mr. Allen: To ask the Secretary of State for Employment how many 16 to 17-year-olds have lost benefit following the eight-week period allowed as a result of refusing or not being found places on training schemes *(a)* in Nottingham as a whole and *(b)* in the Nottingham, North constituency.

Mr. Cope: I will write to the hon. Member as soon as possible.

Employment Training

Ms. Short: To ask the Secretary of State for Employment how many employment training trainees were in training at the latest available date; how many of these had started in project-based places; and how many had started on placements with employers.

Mr. Nicholls: At 4 November 1988 there were 73,000 trainees on employment training all of whom were receiving employment training allowances. Information on the number of trainees starting on project-based training places or on training placements with employers is not available. However, statistics are being collected on the number of trainees in training on project-based places and on placements with employers and the first comprehensive information should be available in January.

Ms. Short: To ask the Secretary of State for Employment if he will publish his Department's operating statistics for each completed month of employment training for each United Kingdom region, specifying *(a)* the end of month profile for each region, *(b)* the actual number in training in each region, *(c)* the number of starts in each month in each region, *(d)* the number of leavers each month, *(e)* how many of the trainees are on employment training training allowance and *(f)* how many are still receiving wages from the community programme.

Mr. Nicholls: I will write to the hon. Member as soon as possible.

Ms. Short: To ask the Secretary of State for Employment how many people have started on employment training in inner city areas; how many have left; how many were in training at the latest possible date; how many of those in training were on project-based places; and how many had been placed for training with local employers.

Mr. Nicholls: Figures for the number of people starting and leaving employment training in inner city areas are not available. Comprehensive information about the number in training in inner city areas should be available at the end of January.

Ms. Short: To ask the Secretary of State for Employment what plans he has to repay the travel costs of employment training and YTS participants in *(a)* inner city areas, and *(b)* rural areas.

Mr. Nicholls: Help towards the travel costs of people participating in employment training and YTS is already available. The present arrangements, which apply throughout Great Britain, reimburse trainees all their travel costs over £5 per week in the case of employment training, and £3 per week for non-employed trainees on YTS.

Mr. Leighton: To ask the Secretary of State for Employment if he will list those local authorities that are acting as managing agents for employment training and those which have declined to do so.

Mr. Nicholls: I will write to the hon. Member as soon as possible.

YTS

Mr. Wilson: To ask the Secretary of State for Employment if, pursuant to his reply to the hon. Member for Cunninghame, North on 9 November, he will estimate the cost of establishing the number of YTS applicants without places in each region on a fixed date.

Mr. Cope: Only the local careers services will know the number who have applied for a YTS place at any one time. In order to establish a national figure, each careers office would have to be contacted to gather the information and to ensure that they were counting in the same way and on the same day. Figures would then have to be checked back with the local offices and inquiries followed up. The information could be obtained only at disproportionate cost.

Mr. Wilson: To ask the Secretary of State for Employment if, pursuant to his reply to the hon. Member

for Cunninghame, North on 9 November, he will define the steps taken to fulfil the guarantee on YTS places for all 16 and 17-year-olds, in the absence of information about how many of them there are without such places, on any given date.

Mr. Cope: Joint planning takes place at local level between the careers service and the relevant Training Agency area office to estimate the flow of applicants and range of occupational interests, and to provide a corresponding flow of places, with an overprovision of places so as to allow choice. If a local careers office indicates subsequently that more places are needed, the Training Agency area office arranges for such places to be made available.

Mr. Wallace: To ask the Secretary of State for Employment whether he will publish a list showing how many YTS places were available in each travel-to-work area; and how many of those places were taken in each month since January until the latest available date.

Mr. Cope *[holding answer 14 November 1988]:* This information is not available by travel-to-work area. The number of YTS places available and the number of young people in training in each region for each month since January is shown in the table.

	January 1988	*February 1988*	*March 1988*	*April 1988*	*May 1988*	*June 1988*	*July 1988*	*August 1988*	*September 1988*
South-East									
Agreed Places	68,861	66,027	65,559	64,418	63,626	62,227	61,991	62,128	62,595
Number in training	45,311	43,962	42,230	41,521	40,243	40,453	43,210	43,677	45,795
London									
Agreed Places	37,199	35,455	35,249	33,873	33,379	33,360	33,520	33,106	33,390
Number in training	22,005	21,356	20,784	20,492	20,128	20,352	20,825	21,749	22,129
South-West									
Agreed Places	46,197	46,500	45,882	44,391	43,937	43,525	43,819	45,275	45,331
Number in training	33,141	32,326	31,298	30,625	29,546	30,221	33,027	33,251	34,428
West Midlands									
Agreed Places	82,295	76,661	76,424	74,643	72,587	71,614	71,059	71,321	71,592
Number in training	50,640	48,603	46,496	45,352	43,952	46,310	51,359	51,359	51,694
East Midlands									
Agreed Places	75,306	70,793	69,345	65,591	64,019	64,487	64,994	65,734	65,857
Number in training	49,789	48,456	46,733	46,060	44,808	47,530	51,312	51,934	52,250
Yorkshire and Humberside									
Agreed Places	64,230	61,387	61,028	60,128	59,579	59,374	59,714	59,934	60,190
Number in training	46,559	45,180	43,757	43,271	42,360	46,339	49,918	50,673	51,896
North-West									
Agreed Places	94,709	91,357	91,207	85,359	83,895	82,714	82,282	82,156	81,770
Number in training	64,660	62,957	60,189	58,253	56,012	60,867	65,184	66,748	67,875
Northern									
Agreed Places	44,400	43,714	42,162	39,884	38,942	39,194	39,523	39,659	39,842
Number in training	30,217	29,452	28,475	27,722	26,996	29,829	31,905	32,550	33,162
Wales									
Agreed Places	33,926	32,855	32,211	28,874	28,946	28,998	29,021	29,196	29,382
Number in training	24,530	23,852	23,197	23,053	22,535	23,339	24,382	24,734	25,791
Scotland									
Agreed Places	65,748	63,768	63,172	62,957	62,670	61,825	62,200	61,996	62,329
Number in training	46,197	46,658	46,065	45,103	43,269	46,792	47,423	49,166	50,273
National									
Agreed Places	612,871	588,617	582,239	560,118	551,580	547,318	548,123	550,505	552,278
Number in training	413,049	402,802	389,224	381,422	369,849	392,032	418,545	425,841	435,293

Labour Statistics

Mr. Alton: To ask the Secretary of State for Employment if he will list those constituencies in which the number of people out of work and claiming benefit declined by less than 20 per cent. between August 1984 and 1988; and if he will state the percentage reductions and the current levels of unemployment as a percentage and in real terms.

Mr. Lee: The following information is in the Library. The table shows the parliamentary constituencies in Great Britain where the number of unemployed claimants has fallen by less than 20 per cent. between August 1984 and August 1988 together with the number of unemployed claimants in each constituency at the requested dates. The figures are affected by the change in compilation of the count in March 1986 to reduce over-recording.

Parliamentary constituencies with a fall in unemployment of less than 20 per cent. between August 1984 and August 1988

Parliamentary constituency	*Unemployed claimants*		*Change*	*Per cent. change*
	August 1984	*August 1988*		
Kincardine and Deeside	1,680	1,963	283	16·85
Western Isles	1,879	2,115	236	12·56
Gordon	1,907	2,063	156	8·18
Aberdeen South	2,821	2,976	155	5·49
Kirkcaldy	4,179	4,338	159	3·80
Orkney and Shetland	1,304	1,352	48	3·68
Wansbeck	4,272	4,393	121	2·83
Aberdeen North	3,393	3,466	73	2·15
Mansfield	4,680	4,747	67	1·43
Barnsley West and Penistone	4,547	4,567	20	0·44
Sherwood	4,004	4,005	1	0·02
Edinburgh Central	4,737	4,714	−23	−0·49
Dunfermline East	4,134	4,073	−61	−1·48
Moray	3,256	3,164	−92	−2·83
Hemsworth	4,628	4,488	−140	−3·03
Barnsley Central	5,187	4,960	−227	−4·38

Parliamentary constituency	Unemployed claimants August 1984	August 1988	Change	Per cent. change
Bassetlaw	4,715	4,498	−217	−4·60
Liverpool Mossley Hill	6,668	6,361	−307	−4·60
Central Fife	5,093	4,836	−257	−5·05
Greenock and Port Glasgow	7,598	7,181	−417	−5·49
Argyll and Bute	2,947	2,782	−165	−5·60
Glasgow Hillhead	5,465	5,157	−308	−5·64
Inverness, Nairn and Lochaber	4,874	4,591	−283	−5·81
Edinburgh Leith	6,088	5,695	−393	−6·46
North East Derbyshire	4,847	4,530	−317	−6·54
Morecambe and Lunesdale	3,468	3,240	−228	−6·57
Banff and Buchan	2,922	2,728	−194	−6·64
Berwick-upon-Tweed	2,869	2,678	−191	−6·66
Carmarthen	3,540	3,301	−239	−6·75
East Lothian	3,722	3,469	−253	−6·80
Liverpool Broadgreen	7,734	7,202	−532	−6·88
Barnsley East	4,832	4,494	−338	−7·00
Glasgow Central	7,079	6,571	−508	−7·18
Glasgow Maryhill	7,529	6,965	−564	−7·49
Southwark and Bermondsey	6,566	6,051	−515	−7·84
Ceredigion and Pembroke North	3,469	3,183	−286	−8·24
Rother Valley	5,151	4,725	−426	−8·27
Ashfield	4,680	4,288	−392	−8·38
Galloway and Upper Nithsdale	3,390	3,098	−292	−8·61
Bethnal Green and Stepney	7,365	6,707	−658	−8·93
Selby	2,914	2,651	−263	−9·03
Wentworth	5,820	5,236	−584	−10·03
Chesterfield	5,336	4,794	−542	−10·16
Bolsover	4,734	4,253	−481	−10·16
Angus East	3,733	3,353	−380	−10·18
Glasgow Shettleston	6,495	5,831	−664	−10·22
Lewisham Deptford	7,213	6,468	−745	−10·33
Caithness and Sutherland	2,170	1,941	−229	−10·55
Pontefract and Castleford	5,283	4,722	−561	−10·62
North East Fife	2,355	2,103	−252	−10·70
Barrow and Furness	3,775	3,362	−413	−10·94
Don Valley	6,271	5,583	−688	−10·97
Clwyd North West	4,189	3,721	−468	−11·17
Liverpool Walton	9,994	8,866	−1,128	−11·29
Sheffield Heeley	6,294	5,574	−720	−11·44
Carrick, Cumnock and Doon Valley	6,023	5,326	−697	−11·57
Great Yarmouth	4,374	3,864	−510	−11·66
Tottenham	8,891	7,837	−1,054	−11·85
Plymouth Drake	5,586	4,923	−663	−11·87
Brent East	6,203	5,449	−754	−12·16
Sheffield Attercliffe	5,376	4,719	−657	−12·22
Manchester Gorton	6,836	5,992	−844	−12·35
Renfrew West and Inverclyde	3,522	3,087	−435	−12·35
Plymouth Sutton	3,605	3,155	−450	−12·48
Plymouth Devonport	4,790	4,189	−601	−12·55
Edinburgh South	4,176	3,637	−539	−12·91
North Tayside	2,519	2,193	−326	−12·94
Doncaster Central	7,100	6,179	−921	−12·97
Cynon Valley	4,266	3,693	−573	−13·43
Eastwood	3,290	2,841	−449	−13·65
Dunfermline West	3,362	2,903	−459	−13·65
Perth and Kinross	3,416	2,946	−470	−13·76
Midlothian	4,110	3,542	−568	−13·82
Doncaster North	7,177	6,178	−999	−13·92
York	5,208	4,481	−727	−13·96
Glasgow Govan	6,131	5,246	−885	−14·43
Hackney South and Shoreditch	9,884	8,457	−1,427	−14·44
Amber Valley	3,701	3,157	−544	−14·70
Strathkelvin and Bearsden	3,647	3,107	−540	−14·81
Manchester Blackley	6,231	5,307	−924	−14·83
Sheffield Hallam	4,710	4,005	−705	−14·97
Nottingham North	6,528	5,549	−979	−15·00
Sheffield Hillsborough	5,261	4,470	−791	−15·04
Glasgow Cathcart	4,364	3,704	−660	−15·12
Blyth Valley	4,484	3,803	−681	−15·19
Wigan	6,523	5,529	−994	−15·24
Lincoln	6,173	5,231	−942	−15·26
Wakefield	4,858	4,116	−742	−15·27
Woolwich	5,555	4,701	−854	−15·37
West Derbyshire	2,538	2,140	−398	−15·68
Islington South and Finsbury	6,894	5,807	−1,087	−15·77
Clydebank and Milngavie	4,730	3,984	−746	−15·77
Sheffield Central	9,748	8,209	−1,539	−15·79
Glasgow Springburn	8,490	7,147	−1,343	−15·82
Sheffield Brightside	7,353	6,176	−1,177	−16·01
Leyton	5,038	4,229	−809	−16·06
Manchester Withington	6,993	5,859	−1,134	−16·22
Bridlington	3,982	3,336	−646	−16·22
Paisley North	5,410	4,532	−878	−16·23
Normanton	3,511	2,939	−572	−16·29
East Lindsey	4,102	3,433	−669	−16·31
Pembroke	5,730	4,782	−948	−16·54
Hackney North and Stoke Newington	9,255	7,717	−1,538	−16·62
Nottingham East	9,267	7,714	−1,553	−16·76
Leigh	5,662	4,713	−949	−16·76
Clydesdale	4,626	3,850	−776	−16·77
Tyne Bridge	9,358	7,779	−1,579	−16·87
Rotherham	6,480	5,379	−1,101	−16·99
Nottingham South	6,136	5,090	−1,046	−17·05
Great Grimsby	6,719	5,554	−1,165	−17·34
Gedling	3,581	2,955	−626	−17·48
Ynys Mon	4,422	3,647	−775	−17·53
Cunninghame North	5,109	4,211	−898	−17·58
Kingston-upon-Hull West	6,794	5,598	−1,196	−17·60
South Shields	6,906	5,686	−1,220	−17·67
Cumbernauld and Kilsyth	4,330	3,563	−767	−17·71
St. Ives	4,675	3,843	−832	−17·80
Tweeddale, Ettrick and Lauderdale	1,562	1,284	−278	−17·80
Caernarfon	3,130	2,571	−559	−17·86
Leeds Central	7,157	5,876	−1,281	−17·90
Kingston-upon-Hull North	7,899	6,483	−1,416	−17·93
Conwy	3,428	2,812	−616	−17·97
Truro	3,883	3,185	−698	−17·98

Parliamentary Constituencies with a fall in unemployment of less than 20 per cent. between August 1984 and August 1988

Parliamentary Constituency	Unemployment Claimants August 1984	August 1988	Change	Per cent. Change
Glasgow Pollock	7,523	6,165	−1,358	−18·05
Stirling	3,705	3,036	−669	−18·06
Vauxhall	9,884	8,048	−1,836	−18·58
East Kilbride	4,831	3,926	−905	−18·73
Newcastle-upon-Tyne East	7,010	5,690	−1,320	−18·83
Scarborough	4,029	3,267	−762	−18·91

Parliamentary Constituency	Unemployment Clai Claimants			
	August 1984	August 1988	Change	Per cent. Change
Peckham	8,478	6,872	−1,606	−18·94
Glasgow Garscadden	6,272	5,078	−1,194	−19·04
Lewisham West	4,899	3,965	−934	−19·07
Hammersmith	6,148	4,966	−1,182	−19·23
City of Durham	4,403	3,555	−848	−19·26
Edinburgh Pentlands	3,651	2,945	−706	−19·34
Wolverhampton South West	6,426	5,174	−1,252	−19·48
Newham North East	5,385	4,331	−1,054	−19·57
Clackmannan	4,445	3,570	−875	−19·69
Wallasey	7,204	5,774	−1,430	−19·85
Hornsey and Wood Green	7,157	5,734	−1,423	−19·88
Edmonton	3,818	3,057	−761	−19·93

Labour Statistics

Mr. Andrew Welsh: To ask the Secretary of State for Employment if he will list *(a)* the number of alterations to the method of calculating unemployment statistics between August 1984 and August 1988, *(b)* the net effect of each alteration and *(c)* the percentage reduction in unemployed claimants attributable to the changes in the method of calculation.

Mr. Lee: There has been only one significant change to the method of calculating the unemployment figures since August 1984. From March 1986 the compilation of the unemployment figures has been delayed by two weeks. This removed mistaken over-recording caused by the late arrival of information about the status of claimants. The estimated effect at the time was an average reduction of 50,000 or −1·5 per cent. in the recorded number of unemployed claimants.

Mr. Andrew Smith: To ask the Secretary of State for Employment of the vacancies currently listed at the Oxford jobcentre, what is the breakdown by *(a)* sector of employment, *(b)* whether full-time or part-time and *(c)* remuneration offered.

Mr. Lee: The following is the available information. The table shows the number of unfilled vacancies by industry at Oxford jobcentre on 5 August 1988, the latest available date for this analysis. Of the 1,500 unfilled vacancies on that date, 1,016 were full-time and 484 were part-time. The statistics are not available by level of renumeration offered.

Vacancies at Oxford jobcentre by standard industrial classification

Category description (80 classification)	Unfilled vacancy
01 Agriculture, forestry and fishing	4
02 Coal extraction	0
03 Mineral oil and natural gas extraction	0
04 Mineral oil processing	0
05 Nuclear fuel production	0
06 Gas, electricity and water	7
07 Extraction of other minerals and ores	1
08 Metal manufacture	16
09 Manufacture of non-metallic products	1
10 Chemical industry	6
11 Production of man-made fibres	0
12 Manufacture of metal goods	7
13 Mechanical engineering	19
14 Manufacture: office machinery/D.P. equipment	6
15 Electrical and electronic engineering	17
16 Manufacture of motor vehicles	13
17 Shipbuilding and repairing	0
18 Manufacture: aerospace/transport equipment	3
19 Instrument engineering	2
20 Food, drink and tobacco	18
21 Textiles	1
22 Leather, footwear and clothing	5
23 Timber and furniture	16
24 Paper, printing and publishing	17
25 Other manufacturing	20
26 Construction	97
27 Wholesale and distribution	32
28 Retail distribution	359
29 Hotels and catering	293
30 Repair of consumer goods and vehicles	29
31 Transport	48
32 Telecommunications	30
33 Insurance, banking, etc., business services	147
34 Public administration and defence	138
35 Medical and other health services	43
36 Other services—N.E.S.	105
37 Speculative placings/transfers/inputs	0
Total unfilled vacancies	1,500

Mr. Parry: To ask the Secretary of State for Employment what measures he intends to use to reduce unemployment in Liverpool.

Mr. Nicholls *[holding answer 14 November 1988]:* Last Friday the High Court ruled that the action by Liverpool city council to prevent unemployed people from taking part in employment training was unlawful. I hope that the council will now abandon its attempts to prevent voluntary bodies and employers in Liverpool from helping unemployed people get back into work.

My Department, through its employment service and Training Agency, operates a wide range of employment, enterprise and training measures. During the 12 months to September 1988 unemployment in Liverpool has fallen by almost 13,000, 13·6 per cent. of the September 1987 figure.

Conference Industry

Mr. Gregory: To ask the Secretary of State for Employment what is his estimated contribution of the conference industry to the economy; what are the numbers employed in the industry; and what is the current level of grant from his Department.

Mr. Lee: The British tourist survey carried out by the British Tourist Authority–English tourist board showed that in 1987 expenditure on business and conference tourism by British residents was £1·7 billion.

The ETB estimates that over £220 million worth of major construction work for the conference market was under way or completed in the period January-June 1988. Since April 1988, almost £2 million has been offered by ETB from the section 4 innovation fund towards the costs of developing conference facilities. No information is available on the total number employed in the conference industry.

Correspondence

Mr. Nellist: To ask the Secretary of State for Employment when the letter from Mr. M. Davies of 14, March way, Coventry, CV3 2QY, sent to the hon. Member for Pendle (Mr. Lee) on 2 August, will be answered.

Mr. Lee: I will write to the hon. Member.

Bridging Allowances

Mr. Gordon Brown: To ask the Secretary of State for Employment how many persons are in receipt of bridging allowances.

Mr. Cope: I will write to the hon. Member.

Job Vacancies

Mr. Meacher: To ask the Secretary of State for Employment if he will publish in the *Official Report* the full findings of the research carried out by IFF into job vacancies mentioned in his February 1988 White Paper on training.

Mr. Fowler: I will write to the hon. Member as soon as possible.

Engineering

Mr. Dalyell: To ask the Secretary of State for Employment if further to his letter of 27 October to the hon. Member for Linlithgow, he will set out the steps being taken on a number of fronts to improve access and to encourage more young women to enter engineering.

Mr. Nicholls: I will write to the hon. Member as soon as possible.

NORTHERN IRELAND

Semtex

Mr. McCusker: To ask the Secretary of State for Northern Ireland how many deaths in Northern Ireland during the past year have resulted from the use of Semtex explosive; and what percentage this represents of total Irish Republican Army killings in this period.

Mr. Needham: For the period 28 October 1987 to 28 October 1988, some 51 persons, including suspected terrorists, died in Northern Ireland as a result of the use of explosives. It is not possible to state with accuracy, in every case, which type or types of explosives were used.

Housing Benefit

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many Housing Executive tenants were in receipt of housing benefit at the Executive's offices at Downpatrick, Kilkeel, Newry district 1, Newry district 2, and Banbridge between 1 April 1987 and 31 March 1988.

Mr. Needham: I am advised by the chairman of the Housing Executive that the number of beneficiaries varies from week to week. The relevant figures for 1 April 1987 and 31 March 1988 were:

NIHE District Office	*1 April 1988*	*31 March 1988*
Downpatrick	3,267	3,175
Kilkeel	956	930
Newry 1	2,894	2,812
Newry 2	2,780	2,688
Banbridge	2,103	2,104

Social Fund

Mr. McGrady: To ask the Secretary of State for Northern Ireland with regard to the social fund, how many people have repaid loans and how many are outstanding to the social security offices in Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge.

Mr. Needham: The information at 31 October 1988 was:

Social Security Office	*Number of Applicants*	
	Loans repaid	*Loans outstanding*
Downpatrick	79	302
Ballynahinch	17	53
Newcastle	51	101
Kilkeel	9	48
Newry	60	461
Banbridge	23	197
Total	239	1,162

Mr. McGrady: To ask the Secretary of State for Northern Ireland what was the budgetary allocations since 11 April in respect of the social fund for the offices in Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge.

Mr. Needham: I would refer the hon. Member to the reply given to a question by the hon. Member for Belfast, South (Rev. Martin Smyth) on 3 December 1987, at columns *692-94*.

Mr. McGrady: To ask the Secretary of State for Northern Ireland whether he intends to review the operation of the social fund; and what proposals he has to encourage people to claim benefit to which they are entitled.

Mr. Needham: The operation of the social fund is being monitored on a continuing basis. Health and social services boards and voluntary interests have been reminded about the availability of payments from the fund and the Department will continue to encourage potential beneficiaries to apply.

Social Fund

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many pensioners made applications to the social fund from 11 April to 31 October at each of the social security offices in Downpatrick, Newcastle, Kilkeel, Ballynahinch, Newry and Banbridge; and how many were *(a)* approved and *(b)* rejected.

Mr. Needham: The information can be provided only in relation to applicants aged 60 and over and is as follows:

	Applications	*Approved*	*Rejected*
Banbridge	70	49	17
Ballynahinch	21	12	6
Downpatrick	63	40	14
Kilkeel	25	24	—
Newcastle	29	21	7
Newry	115	81	23

The balance of applications in each case were either withdrawn by the claimant or are still to be decided.

Social Security (Review)

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he proposes to undertake a review of the operations of new social security legislation implemented on 11 April.

Mr. Needham: The operation of the reformed schemes is being monitored on a continuing basis, some changes having already been made in the light of experience of the effects of the new legislation.

Agricultural Development Programme

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many applications have been made to the agricultural development programme since July; and how many have been approved and how many rejected.

Mr. Viggers: For the period up to 28 October 1988, 3,613 applications for grant have been received. 3,190 of the applications have been acknowledged by the Department which enables applicants to proceed with the work if they so wish. Of these, 585 applications have been formally approved and 29 have been rejected.

EC (Food Aid)

Mr. McGrady: To ask the Secretary of State for Northern Ireland which organisations are assisting with the distribution of European Community free foods in South Down.

Mr. Viggers: The following organisations which have been designated to operate the European Community free food scheme are assisting with distribution of the food in South Down.

Hillsborough Elim Pentecostal Church
Banbridge Combined Community Organisation Ltd.
Friends of the Elderly, Newry
Rathfriland Traders and Residents Association
Children of Ireland Foundation, Armagh

Milk Quotas

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of the relative impact of the milk quota scheme in Northern Ireland on small farmers; if he will carry out a review of the operation of the milk quota; and if he will make a statement.

Mr. Viggers: A review of the operation of the milk quota regime was carried out last year. The relative impact of milk quotas on small farmers (for this purpose those with under 200,000 litres of quota) was ameliorated by a small producer award of approximately 11 per cent. of their quota, and for those small producers who successfully applied for additional quota on development grounds an award of 95 per cent. of tribunal determinations as opposed to the 64·7 per cent. award for large producers. The latest available data demonstrate that the profitability of milk production has been maintained by producers whether large or small.

My right hon. Friend the Secretary of State for Northern Ireland does not propose to conduct a further review.

Family Credit

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people were in receipt of family credit since 11 April to 30 September in the social security offices in Downpatrick, Ballynahinch, Newcastle, Kilkeel, Newry and Banbridge; and what was the total financial payment during that period.

Mr. Needham: Family credit is administered centrally and information is not available in the precise form requested. However, it is estimated that the number of families getting family credit in each social security office area at 31 October 1988 was:

	Number
Downpatrick	318
Ballynahinch	111
Newcastle	204
Kilkeel	128
Newry	833
Banbridge	266

The estimated total amount of family credit paid in Northern Ireland up to 31 October 1988 is £16·5 million. It is not possible to give a breakdown by individual office area or for the period requested.

Ms. Mowlam: To ask the Secretary of State for Northern Ireland what is the estimated number of families with children who will be above the entitlement ceilings for 1989-90 family credit, but whose net resources defined as in "Low Income Families" are within *(a)* 140 per cent. and *(b)* 200 per cent. of their income support level.

Mr. Needham *[holding answer 10 November 1988]:* The information is not available.

Private Developers (Bonds)

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will take steps to prevent private developers building outside the areas for which they have provided bonds.

Mr. Needham: Under the terms of article 24 of the Private Streets (NI) Order 1980 it is an offence if a developer starts building work prior to the provision of a bond in respect of the related street works. Enforcement action may be deferred from time to time on the basis of an assurance by the developer that a bond will be obtained. However, where developers fail to provide the necessary bond, prosecution proceedings are taken.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if, where the Department of Environment has allowed housing development to take place without a bond from the developer in respect of street works, it accepts responsibility for making good the necessary street works when a liquidation or bankruptcy occurs.

Mr. Needham: Where housing development has taken place without a bond as required by the Private Streets (N.I.) Order 1980 the owners of the premises fronting the street are responsible for the related street works in accordance with article 36 of the order.

Industrial Growth (South Down)

Mr. McGrady: To ask the Secretary of State for Northern Ireland what recent discussions he has had on the promotion of industrial growth in South Down.

Mr. Needham: My right hon. Friend the Secretary of State for Northern Ireland is kept informed of progress on industrial development in all parts of Northern Ireland both through regular briefings and by a programme of visits which include discussions with a wide range of

individuals. Since April 1987 IDB has promoted almost 600 new jobs in South Down involving total investment of over £20 million. In the same period LEDU promoted 816 new jobs in the Down, Banbridge and Newry and Mourne district council areas.

Telephone Reconnection Charges

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people who reside in Housing Executive property and who have been displaced due to rehabilitation works have had to pay telephone reconnection charges in *(a)* the south-east region and *(b)* the southern region in each year from 1984-85 to 1987-88 and from 1 April 1988 to 31 September 1988.

Mr. Needham: This is a matter for the chairman of the Northern Ireland Housing Executive who has advised that the information requested is not available.

Rehabilitated Properties

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to introduce increased payments to tenants who have been displaced from their properties due to rehabilitation work; and if he will make a statement.

Mr. Needham: The Department recently approved proposals from the Housing Executive for increased payments from 1 May 1989 to tenants displaced because of rehabilitation works. I understand that the Housing Executive also intends to increase other payments to tenants which do not require the Department's approval, for example, redecoration grants. All the Housing Executive's proposals are subject to the implementation of a revised tenancy agreement and I have asked the chairman to write to the hon. Member with full details of the position.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what representations he has received about telephone reconnection charges in Housing Executive rehabilitated properties.

Mr. Needham: One letter from the hon. Gentleman.

Improvement Grants

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) if he will list the reasons for refusal in respect of improvement grants in each year from 1980-81 to 1987-88, and from 1 April 1988 to 30 April 1988 at *(a)* Lisburn and *(b)* Newry office;

(2) how many applications for improvement grants have been *(a)* made and *(b)* rejected in each year from 1980-81 to 1987-88 and from 1 April 1988 to 30 September 1988 at *(a)* Lisburn and *(b)* Newry office.

Mr. Needham: I will write to the hon. Gentleman.

Housing Unfitness Programme

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has for dealing with the housing unfitness programme in each of the housing regions in Northern Ireland; and if he will make a statement.

Mr. Needham: This is a matter for the chairman of the Northern Ireland Housing Executive who has advised me that the executive plans to deal with housing unfitness in Northern Ireland by the implementation of a new house building programme to replace unfit dwellings, a programme of improvements to acquired stock, and through the executive's renovation grants scheme which is designed to assist the improvement and repair of qualifying dwellings in the private sector. The executive's planned activity levels are subject to the availability of public finance and the executive will be consulting each district council through the medium of district plans about the programmes for meeting housing need in its area.

Repair Grants

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will list the reasons for refusal in respect of repair grant applications made in each year from 1980-81 to 1987-88 and from 1 April 1988 to 30 September 1988 at *(a)* Lisburn and *(b)* Newry office.

Mr. Needham: I will write to the hon. Gentleman.

Telephone Charges

Mr. McGrady: To ask the Secretary of State for Northern Ireland what representations he has received about the refusal to pay for the installation of telephone and rental charges for the elderly, disabled and infirm in the Southern health and social services board; and if he will make a statement.

Mr. Needham: The hon. Member is the only public representative to have raised the matter with me, although several representations have also been made to the chairman of the Southern health and social services board.

I understand that the board has reversed its earlier decision to discontinue the payment of rental charges for existing elderly, disabled and infirm claimants in its area. The board is now considering an alternative proposal that, in the case of all new applicants, financial assistance will be given for installation costs only.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many applications for financial assistance with the installation of telephones and rental charges in *(a)* the Newry and Mourne unit of management and *(b)* the Banbridge unit of management (i) were made, (ii) were successful and (iii) were unsuccessful in each financial year from 1980-81 to 1987-88 and from 1 April 1988 to 30 September 1988.

Mr. Needham: The information is not available in the form requested. However, the table shows the number of cases assisted by the Southern health and social services board up to December 1986, the latest date for which information is available.

Year ended 31 December	*Installations*	*Rentals*	*Total*
1980	27	114	141
1981	54	193	247
1982	47	238	285
1983	45	256	301
1984	33	267	300
1985	41	272	313
1986	32	286	318

Mr. McGrady: To ask the Secretary of State for Northern Ireland whether he will list the reasons for

refusing to financially assist the elderly with the installation and rental charges in *(a)* Newry and Mourne unit of management and *(b)* Banbridge unit of management.

Mr. Needham: Decisions about individual applications for financial assistance to meet the costs of telephone installation and rental charges for disabled people are matters for the health and social services boards.

Royal Ulster Constabulary

Mr. Madden: To ask the Secretary of State for Northern Ireland whether the inquiry involving Royal Ulster Constabulary officers and allegations concerning immigration matters is complete; how many Royal Ulster Constabulary officers have been disciplined; and if he will make a statement.

Mr. Ian Stewart *[holding answer 8 November 1988]:* I will write to the hon. Member.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list separately for the Royal Ulster Constabulary and the Royal Ulster Constabulary Reserve, the Ulster Defence Regiment and Army, the number of members and ex-members of these forces charged with, and the number convicted of, scheduled offences committed, or allegedly committed, by members of the security forces while using firearms in the current year.

Mr. Ian Stewart *[holding answer 1 November 1988]:* The information is as follows:

1 January-24 October 1988
Number of charges/convictions of members of security forces where firearms were used

	Charged	*Convicted*[1]
Regular Army	2	0
Ulster Defence Regiment	6	7
Royal Ulster Constabulary and Royal Ulster Constabulary Reserve	2	0

[1] Convicted but not necessarily charged in 1988.
Note: Of the 10 persons charged during the period two have been convicted, one case has been withdrawn and the rest are still to come to court.

Security Forces

Mr. Amess: To ask the Secretary of State for Northern Ireland whether he will publish in the *Official Report* the names of members of the security forces murdered by terrorists in Northern Ireland since 1974.

Mr. Ian Stewart *[holding answer 26 October 1988]:* I shall write to my hon. Friend giving the details he requested and will arrange for a copy of the letter to be placed in the Library.

DEFENCE

Nuclear Waste

1. **Mr. Matthew Taylor:** To ask the Secretary of State for Defence what representations he has received concerning his Department's decision to dump military nuclear waste materials in Plymouth, Devonport.

Mr. Sainsbury: Intermediate level radioactive waste produced as a result of the refitting and supporting of nuclear submarines has been stored at Devonport since 1972. The present proposal is to build a special facility to store the waste until it can be disposed of elsewhere. We have received representations from around 20 local residents and from four hon. Members.

Search and Rescue Services

2. **Mr. Nicholas Bennett:** To ask the Secretary of State for Defence if he will make a statement on the deployment of search and rescue services in Scotland, Wales and the south-west of England.

5. **Mr. Harris:** To ask the Secretary of State for Defence if he has now reached a decision on the deployment of military search and rescue services in the United Kingdom.

Mr. Freeman: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Devon, North (Mr. Speller), the hon. and learned Member for Fife, North-East (Mr. Campbell), my hon. Friends the Members for Torridge and Devon West (Miss Nicholson) and Tayside, North (Mr. Walker) on 14 November 1988.

6. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Defence how many representations he has received on the deployment of search and rescue helicopter services.

Mr. Freeman: During 1988 the Ministry of Defence has received some 2,100 representations on the deployment of search and rescue helicopters.

Royal Ordnance Factories

3. **Mr. Malcolm Bruce:** To ask the Secretary of State for Defence when he expects his Department to complete its inquiry into the sale of the Royal Ordnance factories.

Mr. Sainsbury: My Department is conducting no such inquiry. We shall however be co-operating fully in the further examination which we understand the Comptroller and Auditor General is undertaking. How long this will take to complete is a matter for him.

Nuclear Weapons (Transportation)

4. **Mr. Janner:** To ask the Secretary of State for Defence what specialist personnel are available for accident response purposes when nuclear weapons are transported by road.

Mr. Archie Hamilton: Our contingency plans for responding to accidents involving nuclear weapons in transit cater for the rapid availability of all relevant specialist personnel from the MOD nuclear accident response organisation. While it is not our normal practice to discuss the details of that organisation, I can confirm that those immediately to hand would include personnel for fire fighting, first aid and radiation monitoring, and the provision of appropriate advice to the police and civil emergency services.

Royal Navy

7. **Mr. Wallace:** To ask the Secretary of State for Defence if he intends to review the ability of the Royal Navy to meet its commitments; and if he will make a statement.

Mr. Archie Hamilton: The Government are satisfied that the Royal Navy has sufficient resources to meet its current commitments.

Low-flying Aircraft

8. **Mr. Livsey:** To ask the Secretary of State for Defence what recent representations he has received regarding the problem of low flying of Royal Air Force jets in rural areas.

Mr. Freeman: During the month of October a total of 352 inquiries and complaints about military low flying were received. It is not possible without disproportionate effort to determine which of these concerned rural areas.

11. **Mr. Kirkwood:** To ask the Secretary of State for Defence if he will now commission an independent review of Her Majesty's Government policy on low flying.

Mr. Freeman: No.

Procurement Costs

9. **Mr. Wigley:** To ask the Secretary of State for Defence what is his estimate of the annual procurement costs within his Department; and what proportion of this is obtained from *(a)* Wales and *(b)* south-west England, respectively.

Mr. Sainsbury: The defence estimate of total procurement expenditure for 1988-89 is £9,139 million. Of the Ministry's procurement expenditure in the United Kingdom on equipment in the financial year 1986-87 (the last year for which regional figures are available), 2 per cent. is estimated to have been spent in Wales and 13 per cent. in the south-west region of England.

These figures are based on the location of final suppliers to the Ministry of Defence. They do not take account of the different location of sub-contractors or of suppliers to the main contractors.

Dispersal

10. **Mr. Fearn:** To ask the Secretary of State for Defence what is his estimate of the maximum savings which would arise from moving certain of his Department's establishments away from the south-east.

Mr. Sainsbury: It is not possible to provide any meaningful estimate since much would depend on such basic factors as the choice of provincial location and whether expensive specialist facilities needed to be reprovided at the new site. The Department is, however, conducting the review announced by my right hon. Friend the Paymaster General on 31 March 1988 at column *610-11*.

Falkland Islands

Mr. Brazier: To ask the Secretary of State for Defence what plans his Department have for in-flight entertainment on the trooping flights to the Falkland Islands.

Mr. Freeman: I shall write to my hon. Friend.

Falkland Islands

Mr. Sean Hughes: To ask the Secretary of State for Defence if he will describe the distribution system for perishable foodstuffs for service personnel stationed on the Falklands Islands.

Mr. Freeman: Bulk food items are transported to the Falklands from the United Kingdom by ship each month. Fresh provisions are delivered twice weekly by the RAF trooping flight. A small quantity of salad is bought locally. All foodstuffs are kept in specially constructed secure buildings at Mount Pleasant and distributed to service personnel by specialist catering staff as required. Personnel working in remote locations are resupplied regularly by helicopter.

Mr. Sean Hughes: To ask the Secretary of State for Defence whether there has been any official investigation into the distribution system for perishable foodstuffs for service personnel stationed on the Falklands Islands.

Mr. Freeman: No. However, the means of delivery, storage and distribution of foodstuffs are kept under constant review.

Mr. Sean Hughes: To ask the Secretary of State for Defence what arrangements exist on the Falklands Islands for the disposal of perishable foodstuffs that are surplus to service requirements.

Mr. Freeman: The quantities of food supplied to the Falkland Islands garrison take account of shelf life, consumption rate and storage facilities and are managed in such a way that there is no surplus. There is a regular and controlled turnover of all food stocks in the Falkland Islands and fresh produce is generally consumed within a few days of arrival in theatre.

National Service

Mr. Ralph Howell: To ask the Secretary of State for Defence what information he has as to the number of people in the armed forces and engaged in national service for France, the Federal Republic of Germany, Sweden, Switzerland, the United States of America and the United Kingdom, and as a percentage of each nation's population for 1970, 1979, 1984 and 1988.

Mr. Archie Hamilton: I regret that the information is not available in the precise form requested. The number of military personnel in the armed forces of France, the Federal Republic of Germany, the United States of America and the United Kingdom for 1970, 1979, 1984 and 1988 and the percentage which this represents of each nation's total population for the relevant years are shown in the table.

	1970	*1979*	*1984*	*1988*
Armed Forces (Military Personnel only) in Thousands				
France	571	578	570	559
Federal Republic of Germany	455	492	488	495
United Kingdom	371	314	326	316
United States of America	3,294	2,033	2,222	2,275

	1970	1979	1984	1988
Total Armed Forces (Military only) as a percentage of the population				
France	1·1	1·1	1·0	1·0
Federal Republic of Germany	0·7	0·8	0·8	0·8
United Kingdom	0·7	0·6	0·6	0·6
United States of America	1·6	0·9	0·9	0·9

These figures are based on data compiled by the NATO statistical analysis service. Figures for 1988 are estimates.

We do not have information on the size of the armed forces of Sweden and Switzerland, or on the numbers engaged in national service in France, Germany, Sweden, Switzerland and the United States for these years. There were no national service men in the United Kingdom in the years in question.

RAF Firing Range

Mr. Bellingham: To ask the Secretary of State for Defence if he has any proposals for extending and expanding the Royal Air Force firing range in the Wash.

Mr. Freeman: No.

Aldermaston

Mr. Andrew Smith: To ask the Secretary of State for Defence how many times the emergency alarm at Aldermaston has gone off in the last five years; of these, how many were false alarms and how many were emergencies; and what procedures there are for informing and safeguarding the public in the Aldermaston area when the alarm goes off, falsely or otherwise.

Mr. Archie Hamilton: I refer the hon. Member to the answers given to the hon. Member for Leyton (Mr. Cohen) on 8 November at column *137*.

Courts Martial

Mr. Sean Hughes: To ask the Secretary of State for Defence how many *(a)* officers and *(b)* other ranks have been convicted by court martial of fraud, theft of service property or misuse of service property in the last 12 months; how many officers convicted of such offences have been discharged from service in the last 12 months; how many other ranks convicted of such offences have been *(a)* discharged from service or *(b)* reduced in rank as a result in the last 12 months.

Mr. Freeman: I shall write to the hon. Member.

Guns (Disturbance)

Mr. Nicholas Bennett: To ask the Secretary of State for Defence (1) what information he has as to the arrangements made by other European Community countries to compensate civilians for disturbance by military guns;

(2) what information he has as to the arrangements made in other European Community countries to provide financial assistance for the installation of double glazing and other insulation materials to counteract the effect of disturbance by military guns.

Mr. Freeman: I shall write to the hon. Member.

Ethnic Monitoring

Sir Barney Hayhoe: To ask the Secretary of State for Defence if he is now able to publish the results of the first year of the ethnic monitoring survey of applicants and recruits to the armed forces; and if he will make a statement.

Mr. Freeman: A copy of the provisional results of the first year of ethnic monitoring of formal applicants and recruits to the armed forces, together with a statistical commentary, have today been placed in the House of Commons Library. The main conclusions that can be drawn from the statistical analysis are:

(a) there is a substantial under-representation of the ethnic minorities amongst applicants to join the services. Overall ethnic minorities accounted for 1·6 per cent. of applicants whereas estimates indicate that they form some 5·7 per cent. of the total Great Britain population in the 15-24 age range. The difference can only partly be explained by regional effects;

(b) amongst applicants for entry as service men or women, blacks have a significantly higher application rate than Asians and those from other ethnic minority groups. For officer applicants there is little difference between the ethnic minority groups;

(c) the Army has a significantly higher proportion of ethnic minorities amongst applicants for service men and women entry than the other services. For officer applicants any differences between the services are not significant;

(d) the success rate of ethnic minority applicants is lower than for white applicants. Overall 28·2 per cent. of applicants were successful; the rate for whites was 28·4 per cent. whereas that for the ethnic minorities overall was 19·1 per cent. The difference is statistically significant for service men and women applicants to the Royal Navy/Royal Marines and Army but not for service men and women applicants to the Royal Air Force or for officer applicants;

(e) there is no significant difference in success rates between black and Asian applicants. The success rate for the small number of applicants from other ethnic minority groups is significantly higher and close to that for whites.

The Department is studying these results and considering, in the light of them, what more can be done to attract young people from the ethnic minorities into the armed services, as we shall need to do over the next few years.

Strategic Defence Initiative

Mrs. Clwyd: To ask the Secretary of State for Defence (1) whether the recent contract placed by his Department with the physics and space sciences and the University of Kent for research on a light gas gun facility for hyper-velocity impact studies is entirely funded by his Department; and if he will explain the relationship between that contract and the United States strategic defence initiative;

(2) what is *(a)* the total number of contracts placed with British universities for research in connection with the

United States strategic defence initiative, *(b)* the total value of such contracts and *(c)* how many universities have signed such contracts.

Mr. Sainsbury: I shall write to the hon. Member.

United States Aircraft

Mrs. Clwyd: To ask the Secretary of State for Defence (1) whether the United States military authorities are required to give notification of, or seek permission for, low flying or other exercises by B52 aircraft in the United Kingdom;

(2) how many times United States B52 aircraft have been brought to the United Kingdom in 1988;

(3) if he will list *(a)* those bases in the United Kingdom at which United States B52 aircraft have landed in 1988, *(b)* the number of such visits and *(c)* the average number of aircraft involved.

Mr. Archie Hamilton: I shall write to the hon. Member.

Aircraft and Helicopters

Mr. Cryer: To ask the Secretary of State for Defence what is the total cost of the replacement of *(a)* fixed-wing aircraft in every category lost or damaged since 1979 and *(b)* helicopters; and if he will make a statement.

Mr. Freeman *[holding answer 14 November 1988]:* It is now our practice not to publish unit production costs of equipment. For information on the costs of major equipment projects I refer the hon. Member to table 3.2 of volume 2 of the "Statement on Defence Estimates 1988" (Cm. 344-II).

The table provides information on current major equipment projects and covers work approved up to 31 March 1987, adjusted to take account of decisions since taken and other expenditure which is in clear prospect. In order to make the table suitable for publication in its entirety, the in-service dates have in a number of cases been expressed in broad terms and some cost figures have been rounded.

Project	*In-service date forecast or actual*	*Cost*[1] *(£ million)*	*Years of peak expenditure*
Nuclear weapons systems			
Trident	Mid 90s	9,043	Late 80s Early 90s
Sea systems			
Surface ships			
T23 frigates	Late 80s Mid 90s	1,190	1988-92
Single Role Minehunter	Late 80s Mid 90s	190	1990-92
Auxiliary Oiler Replenishment Vessel	Early 90s	300	1988-91
Submarines			
Type 2400 "Upholder"	1988-93	620	Continuing to 1991
Nuclear propulsion			
PWR2	1987	[2]410	Past
Surface weapon systems			
Sea Dart missiles	1977	1,170	Past
Sea Wolf missiles	1979	470	Past
GWS25 Mod 3 Sea Wolf ship system	1986	250	Late 80s
GWS26 Mod 1 Vertical Launch Sea Wolf missile/ship system	Early 90s	400	Late 80s Mid 90s
Harpoon-surface launched	Late 80s	160	Late 80s
Underwater weapon systems			
Sting Ray	1983	1,880	Past
Spearfish	Late 80s	1,300	Late 80s Early 90s
Sonar 2016	1979	310	Past
Sonar 2054	Mid 90s	[3]310	Late 80s Early 90s
Land Systems			
Fighting vehicles			
Challenger MBT	1984	660	Past
TOGS	1986	290	1986-89
Warrior MCV	1988	1,030	1987-94
Weapon systems			
Milan	1977	830	Past
Rapier Field Standard B	1982	610	Past
Rapier Self Propelled	1984	1,450	Past
Rapier Field Standard C	Mid 90s	1,400	90s
Blowpipe/Javelin	1975	610	Continuing
High Velocity Missile	Early 90s	270	Early 90s
MLRS 1	Early 90s	550	Late 80s Early 90s
LAW 80	1988	400	Late 80s Early 90s
Communications			
Ptarmigan	1986	1,400	Past
Air systems			
Fixed Wing Aircraft			
Tornado GR1 / Tornado ADV	1980 / 1984	10,260	Past
E-3A AEW	1991	960	1988-92
Harrier GR5	1989	[4]1,230	1987-90
Tristar First Batch	1986	210	Past
Helicopters			
EH 101	Mid 90s	1,620	Mid 90s
Air weapons			
Sky flash	1979	730	Past
Sea Eagle	1985	340	Past
ALARM	Early 90s	610	Late 80s
JP 233	1986	890	1986-88
Electronic Systems			
Foxhunter AI radar	1985	800	Past
Communication Satellites			
Skynet Stage 1	1988	360	1985-88

[1] Costs are at average 1987-88 outturn prices, and cover development and production, except where otherwise noted.
[2] Development only.
[3] Also included in Trident entry.
[4] Does not include the cost of the second batch referred to in paragraph 315 of Volume 1.

SOCIAL SECURITY

National Insurance Fund

Mr. Austin Mitchell: To ask the Secretary of State for Social Security whether he will publish in the *Official Report* tables showing *(a)* the current holdings of cash, securities and other revenue-generating assets of the national insurance fund in relation to 1978 and 1968, *(b)* the annual surplus/deficit each year since 1968 as a percentage of aggregate earnings to two places of decimals, *(c)* the accumulated fund as a percentage of the current year's estimated aggregate earnings and *(d)* his forecast for 1989.

Mr. Peter Lloyd: The information is as follows:

£ million

	(a) Assets of National Insurance Fund		
	1968	*1978*	*1988*
Securities	1,608·6	3,691·0	6,595·5
Cash with Paymaster General	0·6	2·4	2·5
Other balances	16·4	131·7	689·6
Total assets	1,625·6	3,825·1	7,287·6

The figures for 1968 were derived from the accounts of the national insurance fund, the NI reserve fund, and the industrial injuries fund. These funds were merged in 1975 to form the national insurance fund.

(b) *Total income to National Insurance Fund, with deficit/surplus expressed as percentage of annual income*

Year ended[1]	*£'000 Deficit/ Surplus*	*£'000 Total income*[2]	*Percentage*
31 March 1968	− 88,506	2,134,645	− 4·15
31 March 1969	− 152,232	2,554,648	− 5·96
31 March 1970	− 87,994	2,484,816	− 3·54
31 March 1971	+ 64,320	2,827,713	+ 2·27
31 March 1972	− 625	3,223,061	− 0·02
31 March 1973	+ 152,550	3,790,627	+ 4·02
31 March 1974	+ 259,514	4,454,515	+ 5·83
31 March 1975	+ 637,611	6,005,834	+10·62
31 March 1976	+ 318,934	7,509,548	+ 4·25
31 March 1977	+ 928,011	9,397,616	+ 9·87
31 March 1978	+ 678,469	10,483,678	+ 6·47
31 March 1979	+ 265,414	11,409,629	+ 2·33
31 March 1980	+ 535,302	13,297,450	+ 4·03
31 March 1981	+ 411,698	16,009,010	+ 2·57
31 March 1982	− 991,008	17,056,592	− 5·81
31 March 1983	− 23,004	19,393,009	− 0·12
31 March 1984	+ 580,379	21,089,512	+ 2·75
31 March 1985	+ 373,674	22,118,538	+ 1·69
31 March 1986	+ 315,514	23,485,938	+ 1·34
31 March 1987	+ 413,942	25,339,886	+ 1·63
31 March 1988	+1,580,654	27,335,731	+ 5.78

[1] For years up to and including 1975 the figures have been derived from the accounts of the National Insurance Fund, the NI Reserve Fund and the Industrial Injuries Fund.

[2] Includes income from National Insurance Contributions, the Treasury Supplement and income from investments.

(c) (d) Estimates of the Fund's accumulated balance in the current year and in 1989-90, will be published in the Government Actuary's report on the rerating orders which will be laid before Parliament shortly.

Pensioners

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is his estimate of the average percentage increase since 1978-79 in occupational pensions payable to those now aged 75 years; and what was the comparable increase in *(a)* the state pension and *(b)* the pension payable to the pensioner retiring in the current year who was on the (i) upper and (ii) lower limit of SERPS on retirement.

Mr. Peter Lloyd: I regret that the information is not available in the form requested.

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what has been the average percentage increase in rent and rates payable before and after relief by those aged over 75 years, over the past three years and the percentage increase in their state pension; and by how much their rent and rates/poll tax is expected to increase or decrease in the next three years.

Mr. Peter Lloyd: Including the November 1984 uprating and the April 1988 uprating the basic state retirement pension rose by 14·9 per cent. The rest of the information requested is not available.

Benefits

Mr. Austin Mitchell: To ask the Secretary of State for Social Security whether he will publish in the *Official Report* a table showing *(a)* the increases and reductions since 1973 and May 1979, respectively, in entitlement to universal benefits and allowances paid nationally or by local authorities, including the provision of school meals at less than cost, and *(b)* the increases in rent and rates for the type of accommodation inhabited by most married manual workers with two children; what is his estimate of the net effect in each case of the changes in terms of the median earnings of an adult male manual worker; and what effect the changes have had on the retail prices index.

Mr. Peter Lloyd: The available information is as follows. Table 3.1 of "Abstracts of Statistics for Index of Retail Prices, Average Earnings, Social Security Benefits and Contributions" August 1988, copies of which are in the Library, provides, for various family types at various earnings levels, estimates of net income, after the receipt of benefits and the payment of housing and other costs, at current prices. The period covered is April 1978 to April 1987. Earlier information of a similar kind is not available. For information on the impact of benefits or of housing costs on the retail price index, I refer the hon. Member to my right hon. Friend the Chancellor of the Exchequer.

Mr. Austin Mitchell: To ask the Secretary of State for Social Security whether he will publish the latest results of his monitoring of the new social security arrangements to show the latest rate of take-up compared to the rate under the previous arrangements together with his assessment of the number of gainers and losers under the new arrangements and their distribution by size of gain or loss; and if under the new arrangements the beneficiary will be fully compensated for any increase in *(a)* rates and *(b)* rates and other charges.

Mr. Peter Lloyd: I refer the hon. Member to my reply to my hon. Friend the Member for Hornchurch (Mr. Squire) on 26 October 1988 at columns *207-8*. Take-up estimates for the reformed system will not become available until after the 1988 family expenditure survey is completed. I also refer the hon. Member to "Impact of the Reformed Structure of Income-Related Benefits", a copy of which is in the Library. Claimants receiving housing benefit will be fully compensated in future for reasonable increases in rent, providing their income does not change, and compensated for 80 per cent. of any increases in rates.

Benefits

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security (1) if he will give the procedures being undertaken by his Department to monitor the number of claimants of benefits who are receiving transitional protection payments from April 1988; and if he will give for April 1989 *(a)* the total estimated number of transitional payment recipients, *(b)* the estimated number in each of his Department's regions, *(c)* the estimated number for each of his Department's offices and *(d)* the various transitional payment bands;

(2) if he will estimate the number of claimants of benefits who are receiving transitional protection payments; and if he will give *(a)* the total estimated number of transitional payment recipients, *(b)* the estimated number in each of his Department's regions, *(c)* the estimated number for each of his Department's offices and *(d)* the various transitional payment bands;

(3) if he will describe the procedures being undertaken by his Department to monitor the number of claimants of benefits currently in receipt of transitional protection who will continue to receive transitional protection payments in April 1989.

Mr. Peter Lloyd: I shall write to the hon. Member.

Community Care

Mr. Pendry: To ask the Secretary of State for Social Security (1) what percentage of community care loan applications have been approved at his Department's Hyde and Ashton offices in the current year;

(2) what is the average grant paid to community care applicants at his Department's Hyde and Ashton offices in the current year;

(3) what is the percentage and amount of the grant budget for community care that has been spent at his Department's Hyde and Ashton offices in the current year;

(4) what percentage of community care loan budgets at his Department's Hyde and Ashton offices have been spent in the current year;

(5) what percentage of applications for a community care grant has been approved at his Department's Hyde and Ashton offices in the current year.

Mr. Peter Lloyd: Information on numbers of applications for social fund loans and grants received, processed and awarded, listed by local office, including information on budget allocations and expenditure, is in the Library.

Pensions

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what is his estimate of the cost to the Revenue in the current financial year of an increase in pensions to the same proportion of earnings as applied in *(a)* Germany and *(b)* France.

Mr. Peter Lloyd: It is not possible to make simple comparisons of very different pension schemes. Unlike the United Kingdom, Germany and France do not pay a flat-rate retirement pension which can be expressed as a proportion of national average earnings.

Housing Benefit

Ms. Short: To ask the Secretary of State for Social Security (1) if he will provide his best available estimate of the percentage of housing benefit likely to be lost by YTS trainees living away from home in their second year of training;

(2) whether he will consider disregarding the increase in allowance for YTS trainees in the second year of training for housing benefit purposes.

Mr. Peter Lloyd: As housing benefit is an income-related benefit, the normal rule is that all income available to the claimant should be taken into account in assessing entitlement. YTS allowances are subject to these rules. We cannot estimate the percentage reductions in housing benefit arising from increases in the allowances because we have no information on the particular rent and rates paid by YTS trainees living away from home.

Mr. Favell: To ask the Secretary of State for Social Security what percentage of council tenants have received housing benefit in *(a)* Glasgow, *(b)* Manchester, *(c)* Stockport, *(d)* Bristol and *(e)* Barnet, for the years 1985, 1986, and 1987; and what the cost to the Exchequer has been in each case.

Mr. Peter Lloyd: I shall write to my hon. Friend.

Child Benefit

Mrs. Margaret Ewing: To ask the Secretary of State for Social Security if he will list the number of families in Scotland receiving child benefit in the following annual gross income categories: *(a)* under £5,000, *(b)* £5,000 to £10,000, *(c)* £10,000 to £15,000, *(d)* £15,000 to £20,000, *(e)* £20,000 to £25,000, *(f)* £25,000 to £50,000, and *(g)* above £50,000.

Mr. Peter Lloyd: Estimates for Great Britain as a whole were given in the reply to my hon. Friend the Member for Pembroke (Mr. Bennett) on 17 June 1988 at columns *371-72*. These estimates were based on the family expenditure survey which does not allow separate analyses for Scotland, Wales and particular regions to be prepared on a statistically reliable basis.

Spending and Benefits

Mrs. Beckett: To ask the Secretary of State for Social Security (1) if he will publish tables, similar to those in his Department's tax/benefit model table, showing net weekly spending power for each of a single wage married couple *(a)* with two children aged four and six years and *(b)* with three children aged three, eight and eleven years; earning (i) £60, (ii) £70, (iii) £80, (iv) £90, (v) £100, (vi) £110, (vii) £120, (viii) £130, (ix) £140, (x) £150, (xi) £160 and (xii) £170 under the benefit system as uprated in April 1989;

(2) if he will publish figures, similar to those in his Department's tax/benefit model tables, showing net weekly spending power for a lone mother with two children aged four and six years under the benefit system as uprated in April 1989 and in each of following circumstances *(a)* not working, after one year on benefits, *(b)* earning £20 a week from part-time working and *(c)* working full-time and earning (i) £60, (ii) £70, (iii) £80, (iv) £90, (v) £100, (vi) £110 and (vii) £120 per week;

(3) if he will publish a table showing the levels of gross earnings in April 1989 at which *(a)* a single householder, *(b)* a married couple, *(c)* a married couple with two children aged four and six years and *(d)* a single parent with one child, aged three years, will lose housing benefit, assuming full take-up of family credit, average rent and rates and other assumptions, as in his reply to the hon. Member for Sunderland, North (Mr. Clay) *Official Report*, 1 December 1987, column *566;*

(4) what was the real value of the basic retirement pension for a single person and for a married couple in November 1979 and April 1988, at April 1988 prices.

Mr. Peter Lloyd: I shall write to the hon. Member.

Family Credit

Mr. Speller: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Devon, North of 7 November *Official Report*, column *98*, what steps he will take to offer guidance to potential claimants of family credit who may be of average or less than average clerical ability.

Mr. Peter Lloyd: I shall write to my hon. Friend.

Income Support

Mr. Strang: To ask the Secretary of State for Social Security what is his estimate of the number of claims for income support which will be made in the current year; and if he will make a statement.

Mr. Scott: The latest forecast of claims to income support in 1988-89 is 3·9 million.

Mr. Clay: To ask the Secretary of State for Social Security how much full uprating in 1989-90 of the illustrative rates of income support personal allowances, as published in the technical annex of the White Paper on the reform of social security, in line with the retail price index less housing in 1988-89, would cost.

Mr. Peter Lloyd *[holding answer 7 November 1988]:* Increasing the illustrative rates of the income support personal allowances, as published in the technical annex of the White Paper, in line with the retail price index less housing, results in rates all of which are less than those already announced for April 1989. If we had adopted that approach there would have been a saving not a cost.

School Meals

Mr. Madden: To ask the Secretary of State for Social Security (1) how many children are entitled to free school meals in *(a)* first schools, *(b)* middle schools and *(c)* upper schools in Bradford; and if he will show these numbers as a proportion of the total in each case and list the comparable figures for each year since 1983;

(2) what estimate he has made of the numbers of parents in Bradford who have lost their entitlements to free school meals for their children since the social security changes last April.

Mr. Peter Lloyd: This is a matter for my right hon. Friend the Secretary of State for Education and Science.

Personal Social Services

Ms. Harriet Harman: To ask the Secretary of State for Social Security what *(a)* amount and *(b)* proportion of total public spending on personal social services is accounted for by local authorities for each year since 1967-68 projected to 1990-91 in 1987-88 prices.

Mr. Peter Lloyd: This is a matter for my right hon. and learned Friend the Secretary of State for Health.

Christmas Bonus

Mr. Gordon Brown: To ask the Secretary of State for Social Security how many pensioner couples will receive only one £10 bonus this Christmas.

Mr. Peter Lloyd: I will write to the hon. Member.

Household Incomes

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security (1) if he will give the percentage rise in real household income for the average broken down by family type between 1979 and 1985 in the manner of his answer to the hon. Member for Edinburgh, South, *Official Report*, 29 July, columns *819-20;*

(2) if he will publish a table showing the rise in real household incomes between 1979 and 1985 for all decile groups broken down by family status in the manner of his answer to the hon. Member for Edinburgh, South, *Official Report*, 29 July, columns *819-20.*

Mr. Peter Lloyd *[holding answer 27 October 1988]:* A table providing this information has been put in the Library. It should, however, be noted that the principal objective of the "Households Below Average Income" statistics is to measure improvements in living standards in different parts of the income distribution for the population as a whole. The tables are not designed to measure the living standards of individual family types within each decile of the population. Although compositional figures by family type are included in the main "Households Below Average Income" statistics, the hon. Member is advised that the information on real income increases for individual family types within each decile provided in reply to this question does not provide a meaningful guide to improved living standards.

Benefits (Upratings)

Mrs. Beckett: To ask the Secretary of State for Social Security how much of the real increase in social security expenditure since 1979 is due to benefit upratings in excess of price increases; and in which years and for which benefits these occurred.

Mr. Peter Lloyd *[holding answer 7 November 1988]:* The Government are pledged to protect pensions and linked long-term benefits against inflation. There is no commitment to uprate benefits by more than the rise in prices, but there are three instances where an uprating in excess of prices continues to affect benefit expenditure:

Benefit	*Year of uprating*	*Amount by which uprating exceeded inflation*	*Effect on expenditure*[1]
Supplementary benefit child scale rates	1980	£2·25/£3·55	£48 million
Mobility allowance	1981	£0·70	£28 million
One parent benefit	1983	£0·25	£11 million

[1] Effect on expenditure in 1988-89.

Increases in social security spending are attributable to a range of factors in addition to upratings, for example, the extension of invalid care allowance to married women (increased expenditure of around £100 million in the

current year), the restructuring of the benefit system, and the maturing of the state earnings-related pension scheme. Real growth in incomes is not dependent on social security benefits alone: the control of inflation and the growth of occupational pensions, including the maturing of SERPS, are reflected in the fact that between 1979 and 1986 the total incomes of pensioners rose by 23 per cent. in real terms.

Residential Care Allowance

Mr. McCrindle: To ask the Secretary of State for Social Security if his Department's residential care allowance is to be paid in future using a flexible scale of allowance; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 11 November 1988]:* Support from social security for people in residential care will be looked at as part of the Government's consideration of the report on community care produced by Sir Roy Griffiths.

Family Statistics

Mr. Nicholas Brown: To ask the Secretary of State for Social Security if he will give figures showing, in 1988 prices, the average income from all sources for a lone parent family, their average disposable income, and their average expenditure per household in 1979 and 1987, or the most recent available date.

Mr. Peter Lloyd *[holding answer 24 October 1988]:* The table shows average gross and net income for lone parent families in 1979 and 1986 (the latest available year) expressed at July 1988 prices. Expenditure data in the family expenditure survey relates to households and cannot be apportioned among the income units within a household.

Lone parent families—average income

	£ per week July 1988 prices	
	1979	*1986*
Gross income	109·7	124·4
Net income	99·5	115·7

Notes:

1. Figures derive from the Family Expenditure Survey and are subject to sampling error.
2. Income repriced to July 1988 prices uses the RPI.
3. Gross income is income from all sources before deductions. Net income is gross income minus income tax and national insurance.

Housing Rental Purchase

Mr. Pike: To ask the Secretary of State for Social Security if his Department has plans to bring forward any measures with regard to housing rental purchase.

Mr. Peter Lloyd *[pursuant to his reply, 25 October 1988, c. 157]:* The review of benefit arrangements for help with rental purchase agreements has now been completed. We considered carefully both the current position and the likely impact of possible changes in the light of new housing policies shortly to come into effect. We concluded that payments under these agreements should continue to be eligible for housing benefit.

In individual cases it will remain a matter for local authorities to decide on the level of weekly rent (including rental purchase payments) which should be taken into account in calculating entitlement to housing benefit. In addition, the new assured tenancy provisions contained in the Housing Bill which will enable landlords to charge market rents should make the establishment of rental purchase schemes less attractive. We will, however, continue to monitor developments after these new arrangements are in place.

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Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

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